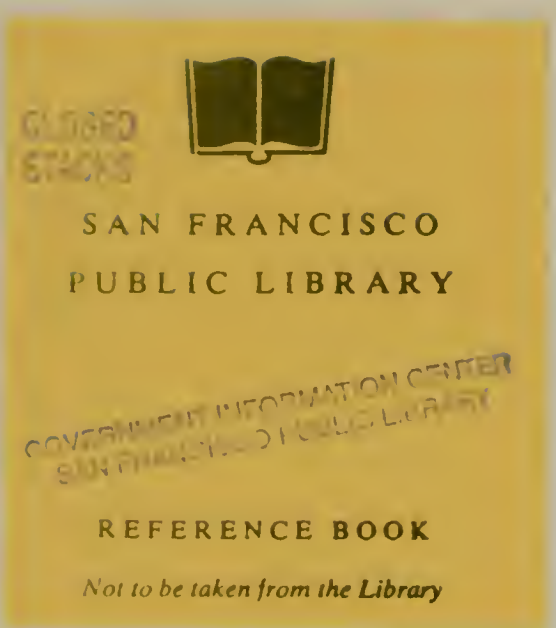
DOCUMENTS DEPARTMENT


CLOSED STACKS

SAN FRANCISCO
PUBLIC LIBRARY

GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY

REFERENCE BOOK

Not to be taken from the Library

MAR 2 2 1986

SAN FRANCISCO PUBLIC LIBRARY
3 1223 03475 3013

DOCUMENTS

5 JANUARY 1983 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chamber, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 5, 1983 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy

Commissioner Sanchez presiding.

The Commissioners having received, amended and returned menutes of the meetings of September 15, October 6, October 13, October 20, October 27, and November 3, 1982, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

OCUMENTS

RESOLUTION NO. 1-83

SETTING OF DATE FOR HEARING OF CAPTAIN DONALD A. GOAD, MUNI TRANSIT DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Captain Donald A. Goad, MUNI Transit Division, was called it having been set for this date, and

WHEREAS, it was requested by Ms. Janis Musante, attorney for Captain Goad, that the date for the hearing before the Police Commission be set for February 25, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Captain Donald A. Goad, MUNI Transit Division, is set for Wednesday, February 23, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 2-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER DENNIS H. ALVARENGA, MUNI TRANSIT DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Dennis H. Alvarenga, Muni Transit Division, was called it having been set for this date; and

WHEREAS, it was requested by Ms. Janis Musante, attorney for Police Officer Dennis H. Alvarenga, that the date for the hearing before the Police Commission be set for February 23, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Dennis H. Alvarenga is set for Wednesday, February 23, 1983 at 5:00 p.m., in Room 551, Hall of Justice

DOCUMENTS DEPT.
SAN FRANCISCO
PUBLIC LIBRARY.

*352.2
Sa521m
Jan. - Mar.
1983

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 3-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER LOUIS P. TERCERO, PROPERTY CONTROL DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Louis P. Tercero, Property Control Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Police Officer Louis P. Tercero, that the date for the hearing before the Police Commission be set for February 9, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Louis P. Tercero is set for Wednesday, February 9, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 4-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER WILLIAM A. TERCERO, PROPERTY CONTROL DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer William A. Tercero, Property Control Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Police Officer William A. Tercero, that the date for the hearing before the Police Commission be set for February 9, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer William A. Tercero is set for Wednesday, February 9, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 5-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER EUGENE E. KALININ, PROPERTY CONTROL DIVISION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Eugene E. Kalinin, Property Control Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Charles Bryar, attorney for Police Officer Eugene E. Kalinin, that the date for the hearing before the Police Commission be set for February 9, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Eugene E. Kalinin is set for Wednesday, February 9, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler , Murphy, Sanchez

RESOLUTION NO. 6-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER GEORGE GRANT, TARAVAL STATION

WHEREAS, the date to be set for the disciplinary hearing of Police Officer George Grant, Taraval Station, was called it having been set for this date; and

WHEREAS, it was requested b y Mr. Stephen B. Bley, attorney for Police fficer George Grant, that the date for the setting of the hearing before the Police Commission be set for March 9, 1983; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer George Grant is set for Wednesday, March 9, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Sergeant Robert Dillon's hearing date was moved to March 9, 1983 at this time also.

RESOLUTION NO. 18-83

PATRICK PIAZZA

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Patrick Piazza in the sum of $1,800.00 in Superior Court Action No. 765-744 entitled "Patrick Piazza vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 9, 1979

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 19-82

R. S. S. Properties, Inc.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of R. S. S. Properties, Inc. in the sum of $56.00 in Small Claim Court Case No. 405-161 entitled "R. S. S. Properties vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 19, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 20-83

AIDA A. RUSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Aida A. Russ against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 7, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 21-83

DEBORAH A. RUELAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah A. Ruelas against the City and County of San Francisco in the sum of $60.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 22-83

LEONARD JAMES MILLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leonard James Miller against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 23-83

STEPHANIE KREBS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephanie Krebs against the City and County of San Francisco in the sum of $86.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 24-83

MARK K. MONROE

RESOLVED, that the recommendation of the City Attorney for settloement of the claim of Mark K. Monroe against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 25-83

ADOLFO GUSTAVO AMADOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Adolfo Gustavo Amador against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 2, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 26-83

KELLY CONNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kelly Conner against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 27-83

BETSY ZEGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Betsy Zeger against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 28-83

DEBORAH H. HANNUM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deborah H. Hannum against the City and County of San Francisco in sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 29-83

LAVERNE NORMAN JONES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laverne Norman Jones against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 19, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 30-83

TONI M. GLIEM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Toni M. Gliem against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 31-83

JOHN EDWARDS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Edwards against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 32-83

LEE MELLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lee Meller against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 33-83

RICHARD BACKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Backer against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 34-83

DR. JEAN LUST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dr. Jean Lust against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 35-82

DANIEL L. HAIGHT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel L. Haight against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 2, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 36-83

ROSLYN SHAPIRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roslyn Shapiro against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 37-83

ERICH SEIBERT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Erich Seibert against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 8, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 38-83

BEATRICE LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beatrice Lee against the City and County of San Francisco in the sum of $33.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 26, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 39-83

MARY ROSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Ross against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 26, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 40-83

SUSAN REINERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan Reiners against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 2, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 41-83

ANITA SCHROEDER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anita Schroeder against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 42-83

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 5, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 43-83

AUTHORIZING ATTENDANCE OF INSPECTOR ROBERT STONE, ARSON TASK FORCE, AT THE FIRE ARSON INVESTIGATION COURSE CONDUCTED BY THE US FEDERAL EMERGENCY MANAGEMENT AGENCY IN EMMITSBURG, MARYLAND FROM JANUARY 24, 1983 to FEBRUARY 11, 1983.

RESOLVED, that the recommendation of the Chief of Police that Inspector Robert Stone, Arson Task Force, be detailed to attend the Fire Arson Investigation Course, conducted by the US Federal Emergency Management Agency 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Insp. Robert Stone, Arson Task Force, in a sum not to exceed $663.00 will be reimbursed by the US Treasury Department.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 44-83

AUTHORIZING ATTENDANCE OF COMMANDER RICHARD TRUEB, INTERNAL OPERATIONS BUREAU, LIEUTENANT JAMES STURKEN, PERSONNEL AND TRAINING, AND SERGEANT EDMUND PECINOVSKY, LEGAL OFFICE, AT THE 17th ANNUAL EMPLOYEE RELATIONS INSTITUTE CONFERENCE AT SAN JOSE, CALIFORNIA FROM JANUARY 26, 1983 TO JANUARY 27, 1983.

RESOLVED, that the recommendation of the Chief of Police that Commander Richard Trueb, Internal Operations Bureau, Lieutenant James Sturken, Personnel and Training, and Sgt. Edmund Pecinovsky, Legal Office, be authorized to attend the 17th Annual Employee relations Institute Conference, conducted by the League of California Cities, in San Jose, California from January 26th to January 27, 1983, be, and the same is hereby approved, and be it further

RESOLVED, that expenses incurred by the members of the Police Department in the amount of $135.00 each for registration fees and subsistence will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 43-83

AUTHORIZING ATTENDANCE OF TWENTY-FOUR (24) SELECTED PERSONNEL TO ATTEND AN 11550 H&S (ADDICT UNDER THE INFLUENCE) TRAINING COURSE AT THE SAN FRANCISCO POLICE ACADEMY ON JANUARY 14, 1983.

RESOLVED, that the recommendation of the Chief of Police that twenty-four (24) selected personnel be authorized to attend an 11550 H&S (Addict Under The Influence) Training Course, conducted by Mr. Ed Montgomery and Mr. Bud Bennet of the California Department of Justice, to be held at the San Francisco Police Academy on January 14, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the twenty-four personnel in a sum not to exceed $25.00 for each trainee, total of $600.00, will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 46-83

AUTHORIZING ATTENDANCE OF FIFTEEN (15) ADMINISTRATIVE STAFF MEMBERS OF THE FIELD OPERATIONS BUREAU TO ATTEND A POST TEAM BUILDING WORKSHOP AT THE SAN FRANCISCO INTERNATIONAL AIRPORT FROM JANUARY 12, 1983 to JANUARY 14, 1983.

RESOLVED, that the recommendation of the Chief of Police that fifteen (15) Administrative Staff Members of the Field Operations Bureau be authorized to attend a POST Team Building Workshop, conducted by the Commission on Peace Officer Standards and Training in the Conference Facility of the San Francisco International Airport from January 12, 1983 to January 14, 1983 be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the fifteen personnel of the Field Operations Bureau, in a sum not to exceed $2,500.00 are fully reimbursable by POST.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

Mr. Steven Bley said he was appearing in a special capacity for Officer Williams and his attorney. He said he had been in contact with both and it is his understanding that Officer William's leave of abscence request expires on the 9th and he said he would be coming in tomorrow to give Lt. Frazier a new leave of abscence request and therefore he would request on behalf of the Officer and his attorney that this matter be put over for two weeks to make sure that the Officer has come in with that leave request and at that point, his council, hopefully, will appear requesting to keep the matter on calendar as the officer does have a criminal matter pending. Mr. Michael Gash attorney for the Department said that he would object to the holding of this matter for two weeks and recommend that it be held over for one week as the Commission would be meeting in the Mission District in two weeks and it would not be proper to have it on the calendar at that time. The matter was then moved to be held over for one week.

RESOLUTION NO. 7-83

HEARING OF POLICE OFFICER JEFFERY WILLIAMS, MISSION STATION CONTINUED FROM MEETING OF WEDNESDAY, NOVEMBER 17, 1982.

WHEREAS, the hearing of Police Officer Jeffery Williams, Mission Station, was called it having been set for this date; and

WHEREAS, it has been requested by Mr. Stephen Bruce Bley, temporary attorney for Officer Jeffery Williams, that the matter be continued to January 12, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Jeffery Williams, Mission Station, is continued to Wednesday, January 12, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 8-83

HEARING OF POLICE OFFICE MICHAEL L. HUGHES, MUNI TRANSIT DIVISION - CONTINUED FROM MEETING OF WEDNESDAY, NOVEMBER 26, 1982.

WHEREAS, the hearing of Police Officer Michael L. Hughes, MUNI Transit Division, was called, it having been set for this date; and

WHEREAS, it has been requested that the matter be continued to March 9, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael L. Hughes, MUNI Transit Division, is continued to Wednesday, March 9, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

POLICE COMMISSION REPORT

Commissioner Toler commended the Chief for the Department's Information Bulletins their format and expertise in development. Commissioner Murphy then commended the Chief for the apparent drop in the city 's crime rate which reflected an average decline of 5%.

CHIEF'S REPORT TO THE POLICE COMMISSION.

Chief Murphy then called upon Captain Klapp commanding officer of the Police Academy to give the Commission an over view of the training currently underway at the academy in regards to the city's Housing Police. Capt. Klapp said due to the corporate efforts of the housing police and the academy staff the training is taking place in an exemplary fashion. He said for the last two years the Housing Police has received 280 hours of training. He said 80 hours were done in house with Commander Troy Dangerfield and his staff and over 200 hours was provided by the academy staff ranging from patrol procedures to report writing, CPR, First Aid and an Emergency Vehicle Operations Course. He said the Housing Police also participate regularly with the Department's sworn officers in firearms qualifications. He said they have also administered supervisory training to their supervisory personnel which is the same course given to the Department's supervisory personnel in the rank of Sergeant.

Commander Dangerfield also spoke on the issue and said basically the Housing Police will operate the same as usual and with the training they are now receiving it will make them more than capable of covering those specific areas covered in the past.

Commissioner Nelder then congratulated Commander Dangerfield and stated that he felt it was a real benefit to the Projects to have Commander Dangerfield on the job.

RESOLUTION NO. 9-83

DEPARTMENT GENERAL ORDER D-6, CERTIFICATE OF RELEASE - APPROVED

RESOLVED, that the Police Commission hereby approves Department General Order D-6, Certificate of Release.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION 10-83

DEPARTMENT GENERAL ORDER A-5, ORGANIZATIONAL STRUCTURE AND FUNCTIONS - APPROVED

RESOLVED, that the Police Commission hereby approves Department General Order A-5 regarding Organizational Structure and Functions.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PUBLIC HEARING ON PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF JITNEY BUS PERMITS. APPLICANTS ARE LISTED BELOW:

KWAN, Tse San
NAKAGOSHI, Candace C.
WOOD, Homer
DAVID, Antonio
INGHELRAM, Thomas J.
DEGUZMAN, Cirilo M. Jr.
CABAHIT, Leonilo S.
VASQUEZ, Jose A.
JUNG, Edmund L.
PANGGABEAN, Jasimar
SHUKMAN, Oleg
DEGUZMAN, Alberto
LEW, Harvey
TO, Yung
REYES, Diosdado S.
DELA CRUZ, Eduardo A.

Officer Suslow from the Department's Permit Section addressed this subject and stated that a notice of this meeting was published in the San Francisco Progress on three dates as required by Proposition K and those dates were December 19, 1982, December 21st, and December 23rd. He said notices were also sent to each of the applicants and also the following: The Muni railway, city PUC, the Transport Workers Union, Yellow Cab Co-op, Luxor Cab, Desoto Cab, Veterans Cab, Jitney Owners Association, Allied Jitney Drivers Association and all Jitney bus permit owners and permit operators. He said the names that the Commissioners have are in accordance with the Commission Calendar and are in the order in which the applications were received by the Department. A total of 16 applications. He said applicant no. 1 Mr. Kwan, is requesting a permit for a route that is not established in the Police Code, however all applications filed with the Permit Section must be accepted. He said Candice Nakagoshi is asking for Third Street, Homer Wood, Third Street, Antonio David, Mission Street, Thomas J. Inghelram, Mission, DeGuzman, Cirilo M. Jr., Mission, Cabahit, Leonilo S., Mission Street, Vasquez, Jose A., Mission Street, Jung, Edmund L., Mission Street, Panggabean, Jasimar, Mission Street, Shukman, Oleg, Downtown Fisherman's Wharf Route, DeGuzman, Alberto, Mission Street, Lew, Harvey asking for all three routes, Downtown Fisherman's Wharf, Third Street and Mission Street, To, Yung, Third Street, Reyes, Diosadado S., Mission Street and Dela Cruz, Eduardo A., Mission Street.

The following applicants were absent: Candace C. Nakagoshi, Homer Wood, Jasimir Panggabean, Oleg Shukman, Alberto DeGuzman and Yung To. All others were present.

After listening to those applicants for jitney bus permits who were present the Commissioners then heard from persons in the audience who were in support of the issuance of additional jitney bus permits who were as follows:

Mr. Phillip Pearson, Attorney for Allied Jitney Bus Association.
Mr. Jose Marr, Allied Jitney Bus Association.
Mr. John Roland, Representative of the San Francisco Postal Service.

The following persons spoke against the issuance of Jitney Bus Permits: Mr. Joel Marsh representing the membership of the Jitney Owners Association. Mr. Satian Phongpitag, President of the Jitney Bus Owners Association. Mr. Frank C. Mastro, Jitney Bus Owner and Insurance Underwriter for Jitneys. Mr. Abraham Endzweig, Jitney Bus Owner and driver and Director of the Jitney service improvement for the Jitney Owners Association.

All testimony against the issuance of jitney bus permits were soley against additional permits being issued for Mission Street only. This was re-iterated by Mr. Marsh at the close of testimoney from the above speakers.

The following speakers gave testimony against the issuance of new jitney bus permits anywhere in the city. Mr. Bill Lazar, President Luxor Cab Co. and also representing Mr. Marv Gralnick of DeSoto Cab Company.

Mr. James E. Steele, President of the Yellow Cab-Co-op.
Mr. Carl C. Barton, Director of Systems Safety for the Muni Railway and also representing the Public Utilities Commission.
Mr. John Hepburn, representing the Transport Workers Union.
Mr. Johnie Gilbert, President of the Transport Workers Union.
Mr. Michael Di Pilla, Jitney Bus Owner
Mr. Jesus Lopez, Jitney Bus Owner
Mr. Howard Goldstein, Jitney Bus Owner

After listening to testimony of the above speakers Commissioner Sanchez said the matter would be held over to February 2, where the Department would then give the Commission Additional information and a decision would be rendered at that point. He said the Commission would accept further information in writing only in regard to the issuance of new Jitney Bus Permits and no further oral testimony would be accepted.

RESOLUTION NO. 11-83

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER LESLIE CHONG, INGLESIDE STATION, CONTINUED TO JANUARY 12, 1983.

WHEREAS, the hearing of the appeal of the suspension of Police Officer Leslie Chong, Ingleside Station, was called it having been set for this date; and

WHEREAS, it was requested that the hearing of the appeal of the suspension of Officer Chong be continued to January 12, 1983; therefore be it

RESOLVED, that the hearing of the appeal of the disciplinary suspension filed against Police Officer Leslie Chong, Ingleside Station, is continued to Wednesday, January 12, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 12-83

SETTING OF DATE FOR HEARING OF SERGEANT CHARLES E. WARREN, TACTICAL DIVISION.

WHEREAS, the date to be set for the disciplinary, hearing of Sergeant Charles E. Warren, Tactical Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Sergeant Warren, that the date for the hearing before the Police Commission be set for January 12, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Sergeant Charles E. Warren, Tactical Division, is set for Wednesday, January 12, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 13-83

POLICE OFFICER CORBETT F. DICKEY, PARK POLICE STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Corbett F. Dickey, Park Station, as follows:

SPECIFICATION NO. 1

Leaving assigned post without permission (violation of Rule B-6 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Drinking intoxicating liquor while on duty (violation of Rule B-1 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Corbett F. Dickey, Park Station, is set for Wednesday, January 12, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER H-2, "FIRE PROCEDURE"- CONTINUED FOR PUBLIC HEARING ON FEBRUARY 2, 1983.

RESOLUTION NO. 15-83

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $1, 814,294.00 TO FUND A 1977-78 RETROACTIVE RAISE.

RESOLVED, that the Police Commission hereby approves a supplemental appropriation amounting to $1,814,294.00. The supplemental appropriation will fund retroactive salaries and related fringe benefits for sworn officers who were employed during Fiscal Year 1977-78. Los Angeles was not included in sworn salary standardization for Fiscal Year 1977-78. The Superior Court of the State of California in and for the County of San Francisco (Court No. 735-608) ruled that Los Angeles should have been included in sworn salary standardization for that year. The inclusion of Los Angeles results in an increase of 2.5% in sworn salaries and related fringe benefits, plus interest.

AYES: Commissioners Dlay, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 16-83

AUTHORIZING THE SAN FRANCISCO POLICE DEPARTMENT TO ACCEPT A GIFT FROM THE SAN FRANCISCO FOUNDATION, THE VALUE OF WHICH IS TEN THOUSAND ($10,000) DOLLARS.

WHEREAS, the San Francisco Foundation has made a most generous offer to donate $10,000 to the San Francisco Police Department; and

WHEREAS, the San Francisco Police Department has need of sum to use in making a Gay Community Sensitivity Training Tape; and

WHEREAS, Section 10.16 of the San Francisco Administrative Code authorizes the head of a department to accept gifts up to a value of five thousand ($5,000) dollars; and

WHEREAS, in order to accept a gift of a value greater than five thousand ($5,000) dollars, authorization must be received from the Board of Supervisors; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors to adopt the attached Resolution of the Police Commission which authorizes the Chief of Police to accept the gift, valued at ten thousand ($10,000) dollars, on behalf of the San Francisco Police Department, for use in the police department's Community Relations Unit.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

The Commission then adjourned its meeting at 8:35 p.m.

WILLIE E. FRAZIER
SECRETARY

= Minutes

12 JANUARY 1983 EXECUTIVE SEESION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, January 12, 1983 at 1600 hours in Executive Session.

PRESENT: Commissioner Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

DOCUMENTS DEPT.
APR 11 1983
SAN FRANCISCO PUBLIC LIBRARY

1. Personnel Matter.

2. Attorney-Client Conference.

No vote was taken.

12 JANUARY 1983 REGULAR SEESION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 12, 1983 at 1600 hours in regular session.

PRESENT: Commissioner Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

PRESENTATION OF POLICE COMMISSION COMMENDATION TO POLICE OFFICERS FARREL E. SUSLOW AND LAMONT SUSLOW.

Police Commission Commendations were presented to Farrell and Lamont Suslow for their creativity in updating the city codes as far as fees required to be paid for the various permits issued by the San Francisco Police Department. The efforts of these officers brought about increased revenues of thousands of dollars for the city. Commissioner Sanchez said it has now become customary for the city to honor members from the various city agencies that have been involved and also the role of private industry to honor employees who have shown a great deal of fiscal responsiblilty and creativity in their own work. He said this is one of the priorities of the Mayor in that she has stated to the Police Commission and it is a concern that she has recently shared with all of the Captains in the police department to encourage and promote Management by Objectives and other ideas to increase the effectiveness and efficiency of the San Francisco Police Department.

RESOLUTION NO. 75-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER CORBETT F. DICKEY, PARK STATION.

WHEREAS, that date to be set for the disciplinary hearing of Police Officer Corbett F. Dickey, Park Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Corbett F. Dickey, that the date for the hearing before the Police Commission be set for March 23, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Corbett F. Dickey is set for Wednesday, March 23, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 76-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER JERRY LANKFORD, POTRERO STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jerry Lankford, Potrero Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Robert A. Martin, attorney for Police Officer Jerry Lankford, that the date for the hearing before the Police Commission be set for March 23, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Jerry Lankford is set for Wednesday, March 23, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 77-83

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED.

WHEREAS, Police Officer Jeffrey Williams, Mission Station, was suspended without pay effective Friday, September 10, 1982 at 2000 hours, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Jeffrey Williams, Mission Station, has requested a Leave of Absence Without Pay Pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Jeffrey Williams, Mission Station, be placed on a Leave of Absence Without Pay at his request for a period of sixty (60) days from January 10, 1983 until his hearing is held before the Police Commission, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 78-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION (NARCOTICS).

WHEREAS, that date to be set for the disciplinary hearing of Police Officer Jeffrey Williams, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested that the date for the setting of the hearing before the Police Commission be set for February 23, 1983; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jeffrey Williams is set for Wednesday, February 23, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION 85-83

POLICE OFFICER DANIEL G. MARR, PARK STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Daniel G. Marr, Park Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off-duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the department and which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Daniel G. Marr, Park Station, is set for Wednesday, January 26, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 82-83

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER LESLIE CHONG, INGLESIDE STATION, CONTINUED TO JANUARY 26, 1983.

WHEREAS, the hearing of the appeal of suspension of Police Officer Leslie Chong, Ingleside Station, was called it having been set for this date; and

WHEREAS, a request was received from Inspector Paul Chignell, Representative of Officer Leslie Chong, that the matter be continued to a later date; therefore be it

RESOLVED, that the hearing of the appeal of the disciplinary suspension filed against Police Officer Leslie Chong, Ingleside Station, is continued to Wednesday, January 26, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE SERGEANT PAUL LARGENT, INGLESIDE STATION.

The hearing of the appeal of the suspension of Police Sergeant Paul Largent, Ingleside Station, was called it having been set for this date. Police Sergeant Paul Largent appeared in person, and was represented by San Francisco Police Officers' Association Vice President Paul Chignell and POA President Bob Barry.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the Police Department.

Opening statements were made by both Attorney Jerry Akins and Messrs. Chignell and Barry.

The following witnesses appeared for the Prosecution, were sworn and testified:

Captain John J. Jordan, Commanding
Ingleside Station

Sgt. Anthony Del Zompo
Ingleside Station

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 - Intra-Departmental Memorandum, dated February 20, 1080, from Dep. Chief James Ryan, re: Chief's Order #4-80, Disciplinary Action for Failure to Appear at Range Requalification.

Exhibit #2 - One 3" x 5" note on blue paper from the desk of Captain John Jordan, Ingleside Station.

The following named witness appeared for the Defense, was sworn and testified:

Sergeant Paul Largent
Ingleside Station

Closing statements were made by both the Prosecuting Attorney and the Police Officers' Association representatives.

The Commission took the matter under submission after which the following resolution was adopted:

RESOLUTION NO. 84-83

DECISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE SERGEANT PAUL LARGENT.

WHEREAS, Police Sergeant Paul Largent, Ingleside Station, was suspended without pay by the Chief of Police pursuant to Section 8.353 of the Charter of the City and County of San Francisco, and Rule A-13 of General Order D-1 of the Rules and Procedures of the San Francisco Police Department for a period of three (3) days without pay; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Sergeant Paul Largent did file with the Secretary of the Police Commission a written appeal of this suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, January 12, 1983, and at that time the Police Commission determined that Police Sergeant Paul Largent was not in compliance with requirements of Rule A-13 of General Order D-1; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant Paul Largent's Chief's suspension of three (3) days without pay, be, and the same is hereby sustained; and be it further

RESOLVED, that it is the order of the Police Commission that the Chief's suspension of three (3) days without pay administered to Police Sergeant Paul Largent shall commence January 18, 1983 at 0001 hours and terminate January 20, 1983 at 2400 hours.

RESOLUTION NO. 79-83

CONTINUATION OF THE HEARING OF SERGEANT CHARLES E. WARREN, JR. TACTICAL DIVISION.

The matter of the hearing of Sergeant Charles E. Warren, Jr. Tactical Division, was called it having been set for this date.

Sergeant Charles E. Warren, Jr. appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared on behalf of the San Francisco Police Department.

An opening statement was made by Mr. Jerry Akins.

An opening statement was reserved by Mr. Bley and is to be made at the close of the Prosecution's case.

The following named witnesses were called by the Prosecution, were sworn and testified:

Mr. Fred Athearn
1900 Powell Street
Emeryville, California

Sergeant Victor Rykoff
Internal Affairs Division

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 - Four (4) color photographs attached to an 8 ½" x 11" yellow sheet depicting officers during a demonstration. Three (3) of said photographs allegedly identiy Sgt. Charles E. Warren Jr.

Exhibit #2 - Newspaper Clipping - San Francisco Chronicle, Thursday, March 11, 1982.

Exhibit #3 - One black and white photograph, approximately 7" x 10" depicting a sergeant of police swinging a club.

Exhibit #4 - One black and white photograph, approximately 7" x 10" depicting a sergeant of police swinging a club.

After listening to testimony from the above parties, the Commission then adjourned at 2155 hours, and the matter was continued to Wednesday, February 26, 1983 at 1700 hours, in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, CSR).

CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief had no report for tonight.

(There was no number for the consent calendar however it was approved in its entirety.)

RESOLUTION NO. 14-83

ALBERT AHIN

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Albert Ahin in the sum of $7,500.00 in Superior Court Action No. 781-290, entitled "Albert Ahin vs. the City and County of San Francisco, et al," as the result of damages sustained, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 48-83

DAVID LU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Lu against the City and County of San Francisco in the sum of $10.00 as the result of a faulty tow, be, and the same is hereby approved:

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 49-83

FRED DOPFEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fred Dopfel against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.:

Date of Incident: December 9, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 50-83

CHARLES S. FAULKNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles S. Faulkner against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 51-83

AGNES SHAPIRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Agnes Shapiro against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 52-83

JUDY QUAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judy Quan against the City and County of San Francisco in the sum of $33.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 7, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 53-83

CATHERINE M. WOOD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Catherine M. Wood against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 54-83

JOHN T. POSEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John T. Posey against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 21, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 55-83

ERNESTO CARDENAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ernesto Cardenas against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 23, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 56-83

ERIK R. GOODHILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Erik R. Goodhill against the City and County of San Francisco in the sum of $151.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 57-83

KEITH AMARO AND BETTYE McNAULTY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keith Amaro and Bettye McNaulty against the City and County of San Francscò in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 13, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 58-83

KWAN-CHEUNG ALEX TIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kwan-Cheung Alex Tin against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 16, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 59-83

THERESA DeRonen

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Theresa DeRonen against the City and County of San Francisco in the sum of $18.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 26, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 60-83

CLYDIA WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clydia Williams against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 13, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 61-83

PETER W. JACOBS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter W. Jacobs against the City and County of San Francisco in the sum of $50.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 23, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 62-83

BARBARA HOLST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Holst against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 3, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 63-83

PROPERTY MANAGEMENT MERCHANDISE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Property Management Merchandise against the City and County of San Francisco in the sum of $275.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 64-83

ART BOCK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Art Bock against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 12, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 65-83

GILBERTO GODOY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gilberto Godoy against the City and County of San Francisco in the sum of $650.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 11, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 66-83

JUDITH A. GANN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judith A. Gann against the City and County of San Francisco in the sum of $1,030.54 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 7, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 67-83

AUTHORIZING ATTENDANCE OF CAPTAIN RICHARD KLAPP AND LIEUTENANT RONALD JACKSON, PERSONNEL AND TRAINING AT THE QUARTERLY MEETING OF THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (POST) IN SAN DIEGO, CALIFORNIA ON JANUARY 27, 1983.

RESOLVED, that the recommendation of the Chief of Police that Captain Richard Klapp and Lieutenant Ronald Jackson, Personnel and Training, be detailed to attend the quarterly meeting of the Commission on Peace Officer Standards and Training (POST) in San Diego on January 27, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members of the San Francisco Police Department in a sum not to exceed $144.00 each for travel will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 68-83

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Travel Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sgt/Insp. Alexander Stevens) $800.00 (Federal Bureau of
(Investigation
(National Academy
(Quantico, Virginia
(10/03/82-12/17/82

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 69-83

AUTHORIZING ATTENDANCE OF SGT/INSPECTORS WILLIAM KIDD AND RICHARD ESTRADA, GENERAL WORKS DETAIL AT THE CRIMINAL INVESTIGATION COURSE IN SACRAMENTO, CALIFORNIA FROM FEBURARY 14 TO FEBRUARY 18, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspectors William Kidd and Richard Estrada, General Works Detail, be detailed to attend a Criminal Investigation Course conducted by the Northern California Criminal Justice Training and Education System in Sacramento, California from February 14, to February 18, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members of the San Francisco Police Department in a sum not to exceed $375.00 each for tuition, subsistence and travel will be reimbursed by POST.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 70-83

AUTHORIZING ATTENDANCE OF SGT/INSPS. CALVIN NUTTING AND ROBERT McEACHERN, ROBBERY DETAIL, AT THE ELEVENTH ANNUAL ROBBERY INVESTIGATORS ASSOCIATION TRAINING SEMINAR AT LAS VEGAS, NEVADA FROM FEBRUARY 2, 1983 to FEBRUARY 4, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sgt/Inspectors Calvin Nutting and Robert McEachern, Robbery Detail, be authorized to attend the Eleventh Annual Robbery Investigators Association Training Seminar, conducted by the California Robbery Investigators Association in Las Vegas, Nevada from February 2, to February 4, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members of the San Francisco Police Department, in a sum not to exceed $321.00 each for registration fees, travel and subsistence will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 71-83

AUTHORIZING ATTENDANCE OF CRIMINALIST CHRIS JOHANSEN, CRIMINALISTICS DIVISION, AT THE FORENSIC ALCOHOL SUPERVISOR COURSE IN MODESTO, CALIFORNIA FROM JANUARY 17 to JANUARY 21, 1983.

RESOLVED, that the recommendation of the Chief of Police that Criminalist Chris Johansen, Criminalistics Division, be authorized to attend the Forensic Alcohol Supervisor Course conducted by the California Department of Justice in Modesto, California from January 17 to January 21, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named member of the San Francisco Police Department in a sum not to exceed $135.00 for subsistence and travel are reimbursable by POST.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 72-83

AUTHORIZING ATTENDANCE OF THIRTY (30) SELECTED PERSONNEL OF THE FIELD OPERATIONS BUREAU, PATROL DIVISION, AT A FIELD TRAINING OFFICER SEMINAR AT SANTA CRUZ, CALIFORNIA, FROM FEBRUARY 13, 1983 TO FEBRUARY 18, 1983.

RESOLVED, that the recommendation of the Chief of Police that thirty (30) selected personnel of the Field Operations Bureau, Patrol Division, be detailed to attend a Field Training Officer Seminar at Santa Cruz, Californnia from February 13, 1983 to February 18, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the thirty personnel of the Field Operations Bureau, Patrol Division, in a sum not to exceed $10,000, will be defrayed from the department's training fund. POST will reimburse the department 30% of trainees' salaries for the period of the seminar.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 73-83

AUTHORIZING ATTENDANCE OF SGT/INSP. MICHAEL YALON, ARSON TASK FORCE, AT THE FIRE INVESTIGATION II COURSE, AT TIBURON, CALIFORNIA FROM JANUARY 17 TO JANUARY 21, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sgt./Inspector Michael Yalon, Arson Task Force, be detailed to attend a Fire Investigation II Course, conducted by the State Fire Marshall's Office in Tiburon, California from January 17, 1983 to January 21, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named member of the San Francisco Police Department in a sum not to exceed $40.00 will be defrayed from the Department Training Fund for tuition, and $36.25 will be reimbursed by POST for meals.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 74-83

AUTHORIZING ATTENDANCE OF SERGEANT ALAN BENNER, CONSENT DEGREE DIVISION AND POLICE OFFICER VICKI QUINN, POLICE ACADEMY, TO ATTEND A PEER COUNSELING TRAINING PROGRAM AT LONG BEACH, CALIFORNIA FROM JANUARY 19 TO JANUARY 21, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Alan Benner, Consent Decree Division, and Police Officer Vicki Quinn, Police Academy, be detailed to attend a Peer Counseling Training Program conducted by California State University, Center for Criminal Justice Research and Traihing, at Long Beach, California from January 19 to January 21, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sgt. Benner and Officer Quinn, in a sum not to exceed $533.00 each for tuition, subsistence and travel are reimbursable by POST.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

POLICE COMMISSION REPORT.

The Police Commission reported that it had met eariler in Executive Session and no vote was taken.

RESOLUTION NO. 83-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER RAOUL A. PONCE, MISSION STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Raoul A. Ponce, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Police Officer Raoul A. Ponce; that the date for the hearing before the Police Commission be set for Wednesday, January 26, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Raoul A. Ponce is set for Wednesday, January 26, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER Z-2, "WARRANT ARRESTS" - CONTINUED TO FEBRUARY 16, 1983, FOR PUBLIC HEARING.

The Commission then adjourned its meeting at 9:55 p.m.

WILLIE E. FRAZIER
SECRETARY

19 JANUARY 1983 REGULAR SESSION

The Police Commission of the City and County of San Francisco met at Jamestown Community Center 23rd & Fair Oaks Streets on Wednesday, January 19, 1983 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

Commissioner Sanchez presiding.

DOCUMENTS DEPT.
MAY 2 1983
SAN FRANCISCO
PUBLIC LIBRARY

PUBLIC HEARING ON VOLUNTARY SETTLEMENT AGREEMENT OF ROBERTO HERNANDEZ, ET AL, PLAINTIFFS, VS. DIANNE FEINSTEIN, ET AL, DEFENDANTS.

Commissioner Sanchez said the record should reflect that this matter was on calendar last year in September and was scheduled again for this date so that those persons in the community who desired to do so would have the opportunity to address the issue, but, due to insufficient notice as claimed by the plaintiffs and because of their appeal yesterday to the Mayor's Office the matter will be held over for a date to be soon chosen and most convenient for all concerned. He then introduced and thanked Mr. Chuck Ayalya who was instrumental in providing the facilities at Jamestown Community Center for tonight's meeting. He also introduced the newly assigned Captain to the Mission District Captain Vic Macia of Mission Police Station.

PUBLIC HEARING ON THE ESTABLISHMENT OF AN OFFICE OF CITIZEN COMPLAINTS IN THE POLICE DEPARTMENT. CONTINUED FROM FEBRUARY 16, 1983.

Commissioner Sanchez said that this is the second public hearing on this matter and the Police Commission has set up a sub-committee of Commissioners Nelder and Murphy to carry out the dictates of the Charter Mandate to establish and implement the Office of Citizen Complaints. He said these Commissioners have spent many many hours meeting with Dept. Staff, Civil Service Staff and others to carry out this mandate. He said the purpose of the meeting was to encourage those in attendance to bring forth any ideas and present them tonight in order that the Commission, in utilizing those ideas, will be able to establish the most highest accountable model in the implementation of the Charter Proposition.

Commissioner Murphy then gave a brief statement as to what the Committee has done toward the implementation of the Office of Citizen Complaints. She said the Committee has met with Deputy Chief Shannon and others in the Department and have created some rules of order to implement the Office. She said the Civil Service Staff has now set up job specifications and salary scales for the Director's Position along with that for the investigators positions in the O.C.C.

She said the Committee believes it has what it needs for the Director's position and will start advertising this position in a flyer which will be sent out to the various agencies in the city in hopes of getting qualified individuals to apply. She then gave a brief overview of the Director's duty to whom he or she would report and be responsible to, and the expectations of the effectiveness of the office of citizens complaints when it commences to operate. Thereafter the following persons came forth gave testimony of their conceptualizations on the operation of the Office of Citizens Complaints: Mr. Tom Gee, representing the San Francisco Bar Association, Mr. Jeffery Ross, President of the Barristers Club of San Francisco, Mr. Jim Morales President, of the Latino Democratic Club. During Mr. Morales' testimony, he had specific questions on areas of the proposed rules that were passed out during the hearing. Mr. Michael Gash of the Police Department's Legal Office was called upon to answer Mr. Morales' questions regarding the hearing officers duties and the legal ramifications attached thereto. Mr. Lawrence Wilson of the P.D.'s legal office responded also. Other speakers were: Mr. Richard Sevilla, member of the San Francisco Human Rights Commission and Co-Chair of the Police Liason social directions committee and co-chair of the Gay Rights Committee, Mr. Ranaldo Martinez student at San Francisco City College, Agnes Chris Mason, member of the Community United Against Violence., Gwen Graig, Harvey Milk Gay Democratic Club.

After listening to the presentation of the last speaker Commissioner Sanchez thanked everyone and said this had concluded the second phase of our public hearings on the O.C.C. He then announced that the next hearing on the O.C.C. would probably be at this location on February 16, 1983.

RESOLUTION NO. 100-83

POLICE OFFICER CHRISPOPHER MALLIS, SUPPORT SERVICES BUREAU

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Christopher Mallis, Support Services Bureau, as follows:

SPECIFICATION NO. 1

Failure to remain at home while on sick leave (violation of Rule 5.57 of the Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 2

Drinking intoxicating liquor on duty or while in uniform (violation of Rule B-1 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the department and which reflects discredit upon department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Christopher Mallis, Support Services Bureau, is set for Wednesday, January 26, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Murphy Sanchez

ABSENT: Commissioner Toler

RESOLUTION NO. 86-83

AUTHORIZING ATTENDANCE OF POLICE OFFICERS CHRISTOPHER CUNNIE AND JOSPEH ENGLER, STRESS UNIT AT THE PEER COUNSELING TRAINING PROGRAM AT LONG BEACH, CALIFORNIA FROM JANUARY 19 TO JANUARY 21, 1983.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Christopher Cunnie and Joseph Engler, Stress Unit, be authorized to attend a Peer Counseling Training Program conducted by California State University, Center for Criminal Justice Research and training, at Long Beach, California from January 19th to January 21, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members of the Police Department in the sum of $533.00 each for tuition, subsistence and travel are reimbursable by POST.

AYES: Commissioners Daly, Nelder, Murphy, Sanchez

ABSENT: Commissioner Toler

The Commission then adjourned its meeting at 7:10 p.m.

WILLIE E. FRAZIER
SECRETARY

26 JANUARY 1983 Minutes EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, On Wednesday, January 26, 1983 at 1630 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

26 JANUARY 1983 REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, January 26, 1983 at 1630 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DOCUMENTS DEPT.

APR 28 1983

SAN FRANCISCO PUBLIC LIBRARY

Commissioner Sanchez presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public street, be, and the same are hereby approved:

754 STANYAN STREET-STANYAN PARK HOTEL - GRANTED

At 754 Stanyan Street, install 22' white zone extending from 18' to 40' south of the north property line of 750 Stanyan X Waller.

754 STANYAN STREET-AVENUE CYCLERY - DENIED

At 754 Stanyan Street, install 22' yellow zone extending from 40' to 62' south of the north property line of 754 Stanyan Street. DENIED

1464 VALENCIA STREET-TEEN CHALLENGE- GRANTED

At 1464 Valencia Street, install 22' white zone extending from the south property line 22' north property line of 1464 Valencia Street.

356 - 7th STREET-DEPT. OF PUBLIC HEALTH-GRANTED

At 356-7th Street, install white zone extending from the north property line 44' south property line of 356-7th Street.

2190 UNION STREET-JURGENSEN'S MARKET- GRANTED

At 2190 Union Street, install 88' yellow zone SPECIAL TRUCK ZONE extending from 14' to 102' east of Fillmore Street 7AM-1PM.

309 4th AVENUE - S.F.P.D. - REVOKED

At 309 4th Avenue, revoke existing 42' yellow zone extending from 6' to 48' north of the south building line.

3490 20th STREET-S.F.P.D. - REVOKED

At 3490 20th Street, revoke existing 24' white zone extending from 12' to 36' east of Mission Street.

1026 VALENCIA STREET-RAY'S MARKET - REVOKED

At 1026 Valencia Street, revoke existing 30' yellow zone extending from 3' south to 27' north of the south line of 1026 Valencia Street.

501, 520, 535 TAYLOR STREET - S.F.P.D. - REVOKED

At 501 Taylor Street, revoke existing 25' white zone extending from 52' to 77' north of Geary Street. 520 Taylor Street, revoke existing 48' white zone extending from 5' to 53' north of Derby Street. 535 Taylor Street revoke existing 25' white zone extending from 4' to 29' south of Adelaide Place.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of the traffic Bureau on the revocation of 194 feet of red, green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

PATRICK J. BESCH

CONTINUED, one week to February 2, 1983.

RESOLUTION NO. 92-83

MICHALE MISSASI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michale Missasi against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of incident: October 24, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 93-83

ALLSTATE INSURANCE COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allstate Insurance Company against the City and County of San Francisco in the sum of $1,651.91 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 94-83

STATE FARM INSURANCE

RESOLVED, the the recommendation of the City Attorney for settlement of the claim of State Farm Insurance against the City and County of San Francisco in the sum of $791.69 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 12, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 95-83

JAMES P. ZERGA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James P. Zerga against the City and County of San Francisco in the sum of $729.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 8, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

a) Inspector Herbert L. Cook, Investigations Bureau, for service, effective January 3, 1983.

b) Police Officer Robert J. Blakemore, Ingleside Station, for service, effective January 2, 1983.

c) Sergeant William I. Glickman, Police Range, for service effective January 4, 1983.

The communications were ordered filed.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 96-83

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR MICHAEL TRUEMAN, FRAUD DETAIL, AT THE ECONOMIC CRIME TRAINING COURSE AT SACRAMENTO, CALIFORNIA, FROM FEBRUARY 14 TO FEBRUARY 18, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector Michael Trueman, Fraud Detail, be detailed to attend the Economic Crime Training Course at Sacramento, California, from February 14, to February 18, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspector Trueman, in an amount of $360.00 are reimbursable by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 97-83

AUTHORIZING ATTENDANCE OF POLICE OFFICER MATTHEW PEREZ CRIME LAB, AT THE 5TH ANNUAL VIDEO EXPOSITION CONDUCTED BY KNOWLEDGE INDUSTRY PUBLICATIONS, BROADCAST COMMUNICATIONS AND VIDEO USER MAGAZINES, IN SAN FRANCISCO, CALIFORNIA FROM FEBRUARY 14 TO FEBRUARY 18, 1983.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Matthew Perez, Crime Lab, be detailed to attend the 5th Annual Video Exposition at San Francisco, California, from February 14, to February 18, 1983, be, and the same is hereby approved and be it further

RESOLVED, that expenses incurred by Officer Perez, in a sum not to exceed $665.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 98-83

AUTHORIZING ATTENDANCE OF SERGEANT/INSPECTOR GEORGE BODROV AND INSPECTOR JUAN MORALES, GENERAL WORKS DETAIL, AT THE CRIMES AGAINST THE ELDERLY TRAINING COURSE IN SACRAMENTO, CALIFORNIA FROM FEBRUARY 7 TO FEBRUARY 11, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sergeant/Inspector George Bodrov and Inspector Juan Morales, General Works Detail, be detailed to attend the Crimes Against the Elderly Training Course in Sacramento, California from February 7, to February 11, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant/Inspector Bodrov and Inspector Morales in the amount of $360.00 each will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 99-83

AUTHORIZING ATTENDANCE OF CAPTAIN FRANK JORDAN, COMMUNITY SERVICES DIVISION, AND CAPTAIN DIARMUID PHILPOTT, VICE CRIMES, AT THE P.O.S.T. EXECUTIVE DEVELOPMENT COURSE AT POMONA, CALIFORNIA FROM FEBRUARY 6 TO FEBRUARY 18, 1983.

RESOLVED, that the recommendation of the Chief of Police that Captain Frank Jordan, Community Services Division, and Captain Diarmuid Philpott, Vice Crimes, be detailed to attend the P.O.S.T. Executive Development Course at Pomona, California from February 6 to February 18, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captains Jordan and Philpott in a sum not to exceed $969.00 each are reimbursable by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 101-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER DANIEL G. MARR, PARK STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Daniel G. Marr, Park Station, was called it having been set for this date.

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Police Officer Daniel G. Marr, that the date for the hearing before the Police Commission be set for April 6, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Daniel G. Marr is set for Wednesday, April 6, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 87-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER MALLIS, SUPPORT SERVICES BUREAU.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Christopher Mallis, Support Services Bureau, was called it having been set for this date; and

WHEREAS, it was requested by Officers' for Justice President Rodney Williams that the date for the setting of the hearing before the Police Commission be set for February 9, 1983; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Christopher Mallis, Support Services Bureau, is set for Wednesday, February 9, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 88-83

SETTING OF DATE FOR HEARING OF POLICE OFFICER BOB C. DAVIS, MISSION STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Bob C. Davis, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, attorney for Officer Davis, that the date for the hearing before the Police Commission be set for April 6, 1983, therefore be it

RESOLVED, the the hearing of the disciplinary charges filed against Police Officer Bob C. Davis, Mission Station, is set for Wednesday, April 6, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

POLICE COMMISSION REPORT-EXECUTIVE SESSION NO VOTE TAKEN.

Commissioner Jane Murphy in speaking about the O.C.C. meeting held last week in the Mission District said that in an article by the examiner Gwen Craig, President of the Harvey Milk Democratic Club appeared near the end of the meeting and stated that there is a growing feeling that the OCC Plan is being stalled. Commissioner Murphy replied that the opposite is the case. The Commissioner then re-iterated to the people at the meeting the steps that had already been taken to implement the OCC. She then read a letter prepared by her and sent to the Mayor which outlined step by step what has been done as of this date on the implementation of the OCC. Commissioner Murphy said anyone who would like a copy of the letter should leave their name and address with the Secretary of the Commission and a copy of the letter would be mailed to them.

CHIEF'S REPORT TO THE POLICE COMMISSION.

The Chief said he had no report for the Commission tonight however he would respond to any questions they may have at this time.

RESOLUTION NO. 89-83

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED.

WHEREAS, Police Officer Michael L. Hughes, MUNI Transit Division, was suspended without pay effective 1700 hours, Thursday, July 22, 1982 pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Michael L. Hughes, MUNI Transit Division, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Michael L. Hughes, MUNI Transit Division, be placed on a Leave of Absence Without Pay at this request for a period of sixty (60) days commencing January 25, 1983 until his hearing is held before the Police Commission, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 90-83

DEPARTMENT GENERAL ORDER O-2 "DIPLOMATIC IMMUNITY" APPROVED.

RESOLVED, that the Police Commission hereby adopts Department General Order O-2, Diplomatic Immunity.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

Mr. Mark Forester appeared before the Commission and said that this was the identical supplemental appropriation request the Commission passed many months ago. He said what happened was that the Mayor and Mr. Hadley Roff instructed their staff to pass this budget on to the Board of Supervisors uncut and Mr. Peter Gorman of the MCJC Staff decided to cut it by $6000. He said when the Senior Escort representatives went before the Finance Committee they had not been told that the budget had been cut. He said when they learned of this they requested that it be continued and thereafter returned to the Police Commission. He said it is now back before the Commission because apparently this is the only way that they will be able to restore the cut. They said because of the cuts they are now faced with not being able to pay bills that are crucial to the Senior Escort Program. He said they are now looking to sometime by the middle of April before this money would be available to them. After listening to testimoney on this item from Mr. Mark Forester and Mr. Rene Lauten Commissioner Nelder moved to approve it and Commissioner Daly seconded. It was then unanimously approved. Commissioner Sanchez said that perhaps sometime in the future if a situation like this does occur the Comission should be apprised of it as soon as possible. The Comission then ordered a letter to be written to the Director of the MCJC asking that the Commission be notified when they make cuts such as this plus the justification for making those cuts as soon as possible after the action is taken. Commissioner Nelder said that it should be pointed out to them that the City enjoyed a reduction in crime last year and the senior escort program played a major part in this whole picture.

He said the Commission passed this in October and feels just as strongly today as it did in October.

RESOLUTION NO. 86-83

REQUEST FOR A SUPPLEMENTAL APPROPRIATION AMOUNTING TO $297,741 TO FUND THE OPERATIONS OF THE SENIOR ESCORT - OUTREACH PROGRAM.

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation, amounting to $297,741. Funding will be from "any legally available source." The supplemental appropriation will fund the operations of the Senior Escort - Outreach Program for the period January 1, through June 30, 1983.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

Chief Shannon said that this is the first case to come before the Commission as a result of the Commission's Light Duty Policy. Inspector Peck said he had only found out that this matter was scheduled for tonight yesterday morning. He said in view of the written statement made by Dr. Steiner, the Police Surgeon he would like to have his attorney present because there are a lot of things that should be pointed out that have not been brought out that could have been if his attorney had wanted to do so. He said his attorney is Mike Hebel who has been cleared by the Police Officers Association to represent him. Commissioner Nelder said he would move that this matter be continued to the next administrative meeting which will be two weeks from today. Commissioner Daly seconded and it was unanimously approved.

RESOLUTION NO. 105-83

REQUEST OF INSPECTOR THEODORE C. PECK TO BE RETIRED BY THE POLICE COMMISSION PURSUANT TO COMMISSION PURSUANT TO COMMISSION RESOLUTION 979-82, DISABILITY RETIREMENT, 11/24/82.

WHEREAS, Inspector Theodore C. Peck in an Intra-Departmental Memorandum requested to be retired by the Police Commission purusant to Commission Resolution 979-82, 11/24/82; and

WHEREAS, the Police Commission placed the matter on Commission calendar on January 26, 1983 for consideration and future hearing and thereafter scheduled the matter for hearing on Wednesday, February 9, 1983; therefore be it

RESOLVED, that the request of Inspector Theodore C. Peck to be retired by the Police Commission pursuant to Commission Resolution 979-82, 11/24/82, will be heard on Wednesday, February 9, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

Mr. Jerry Akins said that when the Charles Warren hearing came up two weeks ago the Ponce Hearing was scheduled to be heard at that time also and Mr. Steven Bley requested the Warren matter be heard first and the Ponce matter was continued to this date. He said it looks like tonight, as Mr. Bley has again requested the Warren matter to be heard first that the Ponce matter should be continued once again as the Warren hearing will take a considerable amount of time. Commissioner Sanchez said he would agree as there are a number of witnesses present on the Warren matter and suggested that the Warren matter go on as scheduled. It was then recommended that the Raoul Ponce Hearing be continued to March 30, 1983. (The following resolution was then approved.)

RESOLUTION NO. 102-83

RE-SETTING OF DATE FOR HEARING OF POLICE OFFICER RAOUL A. PONCE, MISSION STATION.

WHEREAS, the disciplinary hearing of Police Officer Raoul A. Ponce, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. John Prentice, attorney for Police Officer Ponce, that the date for the hearing before the Police Commission be reset for Wednesday, March 30, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Raoul A. Ponce is set for Wednesday, March 30, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

Mr. Jerry Akins said this matter having been scheduled for tonight also and under the same circumstances as the previous matter should be continued for a later date. It was then moved and seconded for it to be scheduled for hearing on February 16, 1983.

RESOLUTION NO. 103-83

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER LESLIE CHONG, INGLESIDE STATION, CONTINUED TO FEBRUARY 16, 1983.

WHEREAS, the hearing of the appeal of suspension of Police Officer Leslie Chong, Ingleside Station, was called it having been set for this date; and

WHEREAS, a request was received from Inspector Paul Chignell, Representative of Officer Leslie Chong, that the matter be continued to a later date; therefore be it

RESOLVED, that the hearing of the appeal of the disciplinary suspension filed against Police Officer Leslie Chong, Ingleside Station, is continued to Wednesday, February 16, 1983 at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECEIPT OF GENERAL ORDER 0-03 "POLICE CHAPLAINS" - CONTINUED TO FEBRUARY 2, 1983 FOR PUBLIC HEARING.

RESOLUTION NO. 91-83

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Bobby Williams, Ingleside Station, was called it having been set for this date; and

WHEREAS, because the Police Commission held its meeting this date in the Mission District and the matter had to be re-set for a later date; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Bobby Williams, Ingleside Station, is set for Wednesday, February 23, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

The Commission then adjourned its meeting in memory of Inspector Frank Murphy at 10;45 p.m.

Willie E. Frazier

WILLIE E. FRAZIER
SECRETARY

2 FEBRUARY 1983 REGULAR MEETING

The Police Commission did not hold the meeting scheduled for this date because there was no quorum.

SECRETARY

8 FEBRUARY 1983 EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, Wednesday, February 8, 1983, at 11:00 A.M. hours in Executive Session, no action taken.

PRESENT: Commissioner Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

9 FEBRUARY 1983 REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 9, 1983 at 1700 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DOCUMENTS DEPT.
JUN 7 1983
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Sanchez presiding.

RESOLUTION NO. 148-83.

SETTING OF DATE FOR HEARING OF POLICE OFFICER DEBORAH FRANKS, CRIMINAL INFORMATION DIVISION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Deborah Franks, Criminal Information Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Bernard Gershater, attorney for Police Officer Deborah Franks, that the date for the hearing before the Police Commission be set for April 20, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Deborah Franks is set for Wednesday, April 20, 1983 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Mr. Ephraim Margolin said he was told to be present tonight on the Dillon matter and he came to ask for a continuance but he has run into a little problem and he would like for the Commission to help him. He said if the Commission recalls there was a hearing before the Commission on another Dillon matter and he said he needed a transcript of that hearing and he was advised that the Court Reporter who recorded the hearing has left the jurisdiction and will not be back until August. He said that leaves him in a situation where nobody can find her notes and nobody can transcribe them if they did find them and he said he did not know why. He said he had two possible choices, one, he said, is to ask to continue this matter until she returns which is quite a lengthy continuance, the second is to make some arrangements for her to provide for somebody to transcribe the notes. Commissioner Nelder then asked if any one actually knew of the whereabouts of the Reporter and was told that she is currently in Bethesda Maryland and that Lt. Frazier had been in touch with her just last week. The Commissioner then suggested that a communication be directed to her asking her as to how a transcript could be acquired and then Mr. Margolin could move from there. Mr. Margolin was then advised that Lt. Frazier would call her and that she would therein contact Mr. Margolin regarding the transcript. Mr. Margolin was then told by the Commission that after contacting the Court Reprorter and if he needed more time that he should contact Lt. Frazier and work something out at that time.

RESOLUTION NO. 149-83.

SETTING OF DATE FOR HEARING OF POLICE OFFICER CHRISTOPHER MALLIS, SUPPORT SERVICES BUREAU.

WHEREAS, the date to be set for this disciplinary hearing of Police Officer Christopher Mallis, Support Services Bureau, was called it having been set for this date; and

WHEREAS, it was requested by Inspector Rodney Williams, President of the Officers For Justice, that the date for the hearing before the Police Commission be set for February 23, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Christopher Mallis is set for Wednesday, February 23, 1983 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 107-83.

POLICE OFFICER DOUGLAS D. HANSEN, POTRERO STATION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Douglas D. Hansen, Potrero Station, as follows:

SPECIFICATION NO. 1:

Failure to prevent crime while off-duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2:

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the department and which reflects discredit upon the department (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Douglas D. Hansen, Potrero Station, is set for Wednesday, February 16, 1983, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

APPROVAL OF MINUTES OF THE MEETINGS OF NOVEMBER 10, 1982, THE COMMISSIONERS HAVING RECEIVED, AMENDED, AND RETURNED COPIES OF SAME.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED.

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public street, be, and the same are hereby approved:

710 POWELL STREET - SAN FRANCISCO SUITES - DENIED.

a) At 796 Pine Street, install 22' White zone extending from 15' to 37' east of the west property line of 796 Pine Street.

DENIED

801 HOWARD STREET - WOOLF HOUSE - GRANTED.

a) At 200 Howard Street, install 22' Yellow zone extending from 82' to 104' south of Howard Street.

GRANTED

2140 O'FARRELL STREET - CAL MED AMBULANCE SERVICE - GRANTED.

a) At 2130 O'Farrell Street, install 22' Yellow zone extending from the west end of the drive-way at 2130 O'Farrell 22' west.

GRANTED

2255 OCTAVIA STREET - GERMAN CONSUL GENERAL - GRANTED.

a) At 2001 Octavia Street, install 33' White zone extending from the east property line of 2255 Octavia Street 33' west on Jackson Street.

GRANTED

325 ARGUELLO BLVD - CAMP FIRE INC. GOLDEN GATE COUNCIL - GRANTED.

a) At 325 Arguello Blvd., install 22' White zone extending from the north property line 22' south.

GRANTED

755 DAVIS STREET - THE SHARPER IMAGE - GRANTED.

a) At 755 Davis Street, install a 22' Yellow SPECIAL TRUCK LOADING ZONE, extending from 42' to 64' south of the north property line of 755 Davis Street.

b) At 755 Davis Street, install a Meter #793 - SPECIAL TRUCK ZONE 7AM to 1PM.

GRANTED

901 HYDE STREET - SAINT FRANCIS MEMORIAL HOSPITAL. - REVOKED.

a) At 901 Hyde Street, revoke existing 51' White zone extending from 51' to 102' south of the north property line.

b) At 901 Hyde Street, install a 51' Green zone, extending from 51' to 102' south of the north property line.

GRANTED

2332 CLEMENT STREET - CHINA WEST RESTAURANT - REVOKED.

a) At 2332 Clement Street, revoke existing 24' Yellow zone extending from 24' to east of west bldg. line.

b) At 2332 Clement Street, install a 24' White zone, extending from 24' east of bldg. line.

GRANTED

290 AUSTIN STREET - CLEARANCE ZONE - REVOKED.

a) At 290 Austin Street, revoke existing 63' Red Zone, extending from 46' to 109' east of Franklin Street.

REVOKED

#2 MONTEREY BLVD. - S.F.P.D. - REVOKED.

a) At #2 Monterey Blvd., revoke existing 48' Yellow zone, extending from 6' to 54' south of Joost Avenue.

b) At #2 Monterey Blvd., revoke existing 27' Yellow zone, extending from 9' west of, to 18' east of the west line of the bldg.

REVOKED

#2 MONTEREY BLVD., - S.F.P.D. - REVOKED.

a) At #2 Monterey Blvd., revoke exisitng 36' Green zone, extending from 18' to 54' east of the west line of the bldg.

REVOKED

931 - 37 LARKIN STREET - MUSIC HALL - REVOKED.

a) At 931-37 Larkin Street, revoke exisitng 14' White zone extending from the south property line 16' north.

REVOKED

REVOKED.

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 188 feet of red, green, yellow and blue zones, at the parts of the City, at the location submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 108-83.

PATRICK J. BESCH AND HIS ATTORNEY.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Patrick Besch and his attorney in the sum of $34,000.00 in Superior Court Action No. 764-213, entitled "Patrick Besch V. City and County of San Francisco, et al. " as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 21-22, 1979

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 109-83.

RAYMOND JOHNSON AND HIS ATTORNEY.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Raymond Johnson in the sum of $250.00 in Superior Court Action No. 767-504, entitled "Denise Gregory and Raymond Johnson vs. City and County of San Francisco, Murphy, Ikeda, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 4-11, 1980

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 110. 110-83.

LAW OFFICER OF RODRIGUEZ & HOFFMAN, INC. & ROBERTO LOPEZ.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Law Officers of Rodriguez & Hoffman, Inc. & Roberto Lopez against the City and County of San Francisco in the sum of $1,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident : October 12, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 111-83.

JOHN GIESEA.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Giesea against the City and County of San Francisco in the sum of $923.38 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 6, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 112-83.

ANGUS M. MAC LEOD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Angus M. MacLeod against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 19, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 113-83.

DANNY A. SOSA.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Danny A. Sosa against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 114-83.

JEFF MCCORD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeff McCord against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 1, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 115-83.

HARDIN BRISCOE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hardin Briscoe against the City and County of San Francisco in the sum of $83.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 20, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 116-83.

SUSAN A. ATWOOD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan A. Atwood against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 28, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 117-83.

LAURA WENGER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Laura Wenger against the City and County of San Francisco in the sum of $49.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 28, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 118-83.

ROSANNE LIGGETT.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosanne Liggett against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 6, 1983

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 119-83.

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-Op., Inc. against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 23, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 120-83.

DR. LOUIS TALLOW.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dr. Louis Tallo against the City and County of San Francisco in the sum of $55.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 28, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 121-83.

DANNY KWAN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Danny Kwan against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 3, 1983

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 122-83.

ROBERT RANTZ.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Rantz against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 31, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 123-83.

BARBARA BAIN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Barbara Bain against the City and County of San Francisco in the sum of $59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 21, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 124-83.

ROBIN ZUCKERMAN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robin Zuckerman against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 3, 1983

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 125-83.

VICTOR P. BANDEIRA DE MELLO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Victor P. Bandeira De Mello against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 16, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 126-83.

DONALD J. NIX.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald J. Nix against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Janaury 3, 1983

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 127-83.

YELLOW CAB CO-OP, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yellow Cab Co-Op, Inc., against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 11, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 128-83.

DAVID MOON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Moon against the City and County of San Francisco in the sum of $25.00 as the result of a faulty tow, be,and the same is hereby approved.

Date of Incident: December 9, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 129-83.

HAROLD PAUL MARCHAND.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harold Paul Marchand against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 8, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 130-83.

A.B.C. TOWING & STORAGE COMPANY.

RESOLVED, that the recommendation of the City Attorney for settlment of the claim of A.B.C. Towing & Storage Company against the City and County of San Francisco in the sum of $27.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 21, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 131-83.

ALICE W. YEE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alice W. Yee against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 24, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 132-83.

SUZANNE D. SHIRVANI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Suzanne D. Shirvani against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 26, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 133-83.

JOYCE McDONALD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joyce McDonald against the City and County of San Francisco in the sum of $68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 134-83.

NAOMI PORAT.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Naomi Porat against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 18, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 135-83.

MALCOLM D. SOLOMON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Malcolm D. Solomon against the City and County of San Francisco in the sum of $46.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 10-15, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 136-83.

RICHARD H. HARVEY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard H. Harvey against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 9, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 137-83.

MARTIN J. KENTON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Martin J. Kenton against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 16, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 138-83.

MARTIN E. BENJAMIN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Martin E. Benjamin against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 139-83.

CAROL LOESCH.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol Loesch against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 21, 1982

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED.

RESOLUTION NO. 144-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sergeant/Inspector Harlan Wilson		(Developing Administrative
		(Staff Skills Training
	$305.00	(Seminar (I.A.C.P.)
		(01/17/83-01/21/83

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 140-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Prinicpal Clerk Steno Diane Bates) Prinicpal Clerk Steno Hanifa Hakim) Principal Clerk Joyce Farrow)	$155.00	(Seminar for (Executive (Secretaries (San Francisco, (Ca. (01/13/83

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 146-83.

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved;

Officer Christopher Cunnie) Officer Joseph Engler) Officer Vicki Quinn) Sergeant Alan Benner)	$533.00 each	(Peer Counseling (Training Program (Long Beach, California (01/19/83-01/21/83

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 146A-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Officer Edward Collins)	$695.00	(Firearms Instructors (Course (Pleasanton, California (01/03/83-01/14/83

RESOLUTION NO. 147-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Officer Dennis Bonnel)	$227.50	(Firearms Instructors (Course (Pleasanton, California (01/03/83-01/14/83

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 141-83.

AUTHORIZING ATTENDANCE OF POLICE OFFICERS LAWRENCE RYAN AND ROY SULLIVAN, POLICE ACADEMY, AT A P.O.S.T. SPECIAL SEMINAR FOR BASIC ACADEMY CRIMINAL LAW INSTRUCTORS IN BURBANK, CALIFORNIA FROM FEBRUARY 22 TO FEBRUARY 23, 1983.

RESOLVED, that the recommendation of the Chief of Police that Officer Lawrence Ryan and Officer Roy Sullivan, Police Academy, be detailed to attend a P.O.S.T. Special Seminar for Basic Academy Criminal Law Instructors in Burbank, California from February 22 to February 23, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officer Ryan and Sullivan in a sum not to exceed $277.00 each will be reimbursed by P.O.S.T.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 142-83.

AUTHORIZING ATTENDANCE OF CRIMINALIST FRANCIS MOO, CRIMINALISTICS DIVISION, AT THE INSTRUMENTAL ANALYSIS OF PAINTS COURSE IN QUANTICO, VIRGINIA FROM FEBRUARY 7 TO FEBRUARY 11, 1983.

RESOLVED, that the recommendation of the Chief of Police that Criminalist Francis Moo, Criminalistics Division, be detailed to attend the Instrumental Analysis of Paints Course conducted by the Federal Bureau of Investigation at Quantico, Virginia from February 7 to February 11, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Criminalist Moo will be paid by the Federal Bureau of Investigation, at no cost to this department.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 143-83.

AUTHORIZING ATTENDANCE OF INSPECTOR FRANK FALZON, HOMICIDE DETAIL, AT THE COLLECTION AND PRESERVATION OF PHYSICAL EVIDENCE COURSE IN QUANTICO, VIRGINIA FROM FEBRUARY 13 TO FEBRUARY 18, 1983.

RESOLVED, that the recommendation of the Chief of Police that Inspector Frank Falzon, Homicide Detail, be detailed to attend the Collection and Preservation of Physical Evidence Course in Quantico, Virginia, from February 13, to February 18, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Inspector Frank Falzon will be paid by the Federal Bureau of Investigation with no expense to this Department.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 106-83.

AUTHORIZING ATTENDANCE OF POLICE OFFICER ROBERT ROGERS, CENTRAL STATION, AT THE HAZARDOUS DEVICES COURSE AT REDSTONE ARSENAL, HUNTSVILLE, ALABAMA FROM FEBRUARY 13 TO MARCH 4, 1983.

RESOLVED, that the recommendation of the Chief of Police that Police Officer Robert Rogers, Central Station, be detailed to attend the Hazardous Devices Course at Redstone Arsenal, Huntsville, Alabama, from February 13 to March 4, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officer Rogers in a sum not to exceed $1,702.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez asked Lt. Frazier to read out the dates of the projected meetings pertaining to the last public meeting on the Office of Citizens Complaints and also the date for the submission of applications for the office once that is approved.

The Lt. then read the following Memorandum to the Commissioners: Commissioner Murphy after listening to the Memorandum said she felt that the first part was very unclear and what was needed to be said is that February 24th is the last public hearing on the OCC to be held here in the Hall of Justice.

Then reading the Memorandum she said; "Findings of that meeting will be placed in the Sunday paper."

She said she didn't feel that that was appropriate but what is intended is that the job of director of the OCC is to be advertised.

Commissioner Sanchez said as a point of clarification that the Commission wanted to try and announce its schedule. He said February 24, 1983 is a public meeting whereby people have an opportunity to give their continuing imput into the OCC. He said that will be the final public meeting per se.

He then said that the findings of that pertaining to the Office of Citizen Complaints including the description pertaining to the job position itself will be placed in the Sunday paper which is March 6, 1983. Once it is advertised on March 6th the public or any organization will have a chance to respond in writing to the Police Commission pertaining to any recommendations or suggestion or whatever pertaining to that matter.

The Commission will vote out on March 16, on both matters pertaining to the Office of Citizens Complaints and also the approval of the job description which will be finalized and approved at that time.

He said, so from March 16, through April 1st, applicants will have an opportunity to submit resumes to the Commission and the cut-off date will be April 1st and after that we hope to move as swiftly as possible to hire the Director of the OCC a key position.

Commissioner Murphy said she was sorry and that she had worked very very hard on this and this is not her understanding as to what would be advertised in the paper.

Then she asked what will be placed in the paper, the whole rules and regulations document or will it just be the advertisement for the Director of OCC. She said the advertisement for the Director is exactly what is desired to be advertised.

Commissioner Sanchez in response said that the Commission had not diseminated to the public what the office itself is about and it had not been diseminated throughout the City and County of San Francisco. He said therefore this would be an official announcement of what the proposed Office Of Civilian Investigations would be along with the description of the Director of the Office of Civilian Complaints. He said once the Commission approves it they will then do the actual screening.

Commissioner Nelder said he felt that was pretty clear but the only thing that he thought Commissioner Murphy wanted to hear is whether there will be other advertisements and other discussions or releases and in the interest of developing candidates and he felt this was her point.

Commissioner Murphy said yes but she didn't perceive having a Sunday big blow up ad very often but anyway she said she just wanted to know what was going to be placed in that ad because it was not her understanding that all of this was going to go in there but maybe everybody else thought so.

Commissioner Daly said she agreed that in this presentation that it doesn't make it clear that the job description and the application process and the dates are going to be in this ad.

Commissioner Murphy said that is right and that is what she wanted in there. She said now anything else the Commission may want to put in there she does not care about but she just wanted it very clear so that the important parts are not over shadowed.

CommissionerNelder then said that this report to the Commission is just a Memorandum. Commissioner Sanchez agreed and stated that in essence the Commission is stating what the dates will be and it is discussed here.

Commissioner Murphy then said she wanted something quite different from that such as time, dates, and other specifics. She said she didn't think the Commission needed to put in anything particularly about the rules and regulations, the budget, or the salary scale, unless it is to appear in the ad for the Director's position. She said she feels the Commission has to have something to let people know that the Commission is moving on this and that the Commission wants people to contact it.

Commissioner Nelder said he felt the Memorandum is self explanatory and it just sets out a track record to bring the matter to a conclusion and he said he felt the only thing in question here is what goes into the advertisement. He said he would move approval of the Memorandum with the provision that when the advertisement is worked up that it be shown to the Commission for approval. It was seconded by Commissioner Toler and unanimously approved.

CHIEF'S REPORT TO THE POLICE COMMISSION.

The Chief had no report at this time.

RESOLUTION NO. 150-83.

AMENDING PART II, CHAPTER XI, ARTICLE 3 OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY REPEALING SECTIONS 36 AND 36.1 THEREOF.

WHEREAS, the Board of Supervisors of the City and County of San Francisco has passed Ordinance 553-82, regulating the use of metered and residential parking areas by construction vehicles, and

WHEREAS, Ordinance 553-82 was signed into law by Acting Mayor Walker, and

WHEREAS, Jurisdiction for approval of use of these zones by construction vehicles will now be vested in the Office of the Tax Collector, and

WHEREAS, Traffic Code Sections 36 and 36.1 presently conflict with the amendment enacted by Ordinance 553-82, therefore, now, be it

RESOLVED, that the Honorable Police Commission requests that the Board of Supervisors adopt the attached ordinance repealing Traffic Code Sections 36 and 36.1.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 151-83.

AMENDMENT TO SECTION 12 OF THE TRAFFIC CODE (PART II, CHAPTER XI, OF THE SAN FRANCISCO MUNICIPAL CODE).

WHEREAS, California Vehicle Code Section 22651 permits the removal from highways and police streets any vechicle without a current California registration which has been issued five or more notices of parking violations to which the owner has not responded, and

WHEREAS, the owners of these vehicles must appear to obtain a release for the vehicle, at which time the owner is cited to appear in court relative to nonpayment of the outstanding citation, and

WHEREAS, under Section 12 of Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code), only police officers and parking control officers are authorized to issue these citations, and

WHEREAS, the issuance of these citations to appear is purely a clerical function which could be accomplished by clerical personnel assigned to the unit involved, thus releasing uniformed personnel for street duty, therefore

BE IT RESOLVED, that the Police Commission of the City and County of San Francisco, requests that the Board of Supervisors enact the attached amendment to Part II, Chapter XI, Section 12, of the San Francisco Municipal Code (Traffic Code) to permit clerical personnel designated by the Chief of Police to issue citations to appear under California Vehicle Code Section 22651.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Daly said this matter should be written where people would understand that the Department is not making a profit from it and that it should read that the fee the Commission is setting here would be based on the cost. Deputy Chief Shannon said it would be based on the average cost. He said however he would have no problem putting in the wording that the cost would be based on the average cost for training during the period. Commissioner Nelder said with that admendment he would make a motion for its approval. It was then Seconded by Commissioner Daly and it was unanimously approved.

RESOLTUION NO. 152-83.

AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 1351.1 THEREOF, RELATING TO CHARGES FOR SERVICES AT THE POLICE RANGE.

WHEREAS, the San Francisco Police Department is authorized to conduct training at the Police Range; and

WHEREAS, the San Francisco Police Department is authorized under current legislation to charge up to $42.00 for training in the use of firearms at the Police Range; and

WHEREAS, the current amount does not cover the costs associated with the personnel and facilities of the use of the Range for training of outside personnel; and

WHEREAS, the effective and timely charges associated with such training must be increased to cover the minimum costs necessary; therefore, it is

RESOLVED, that the Board of Supervisors is requested to adopt the attached amendment to Section 1351.1 of the Municipal Police Code, which will allow for an annual revision of the fees associated with use of the Police Range for the training other than San Francisco police officers and auxiliary officers.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 153-83.

DEPARTMENT GENERAL ORDER H-2 FIRE PROCEDURE-APPROVED.

RESOLVED, that the Police Commission hereby approves Department General Order H-2 regarding Fire Procedure.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 154-83.

DEPARTMENT GENERAL ORDER O-3- POLICE CHAPLAINS-APPROVED.

RESOLVED, that the Police Commission hereby approves Department General Order O-3 regarding the responsibilities of Police Chaplains.

AYES: Commissioner Daly, Nelder, Toler, Murphy, Sanchez

IN ACCORDANCE WITH GENERAL ORDER D-1, SECTION AN, SUBSECTION 8, A PETITION SIGNED BY TEN OR MORE MEMBERS IS HEREBY SUBMITTED TO THE POLCIE COMMISSION REQUESTING THE COMMISSION TO REINSTATE THE PHYSICAL AGILITY TEST IN GENERAL ORDER B-1.

Sergeant Isiah Nelson addressed the Commission on this matter and said when he found out the Physical Agility Test had been eliminated from the General Order B-1. He said he put this petition together and had ten members sign it. He said everyone that he had spoken to in the Department, members who are under it, or members who are not under it, all agree that the Department should have some kind of physical standards mainly for officer safety. He said even though it does'nt determine whether a person is in shape as he may be able to pass the test as required, however, he said what it does accomplish is to have officers who are in poor physical condition come up to a certain level and then maintain that level in order to pass the requirements. Commissioner Nelder said tonight the petition has to be either approved or disapproved and he would move approval of the petition at this time. Commissioner Toler seconded and it was unanimously approved. Commissioner Nelder said now the next thing that should happen is that it should be put back on calendar and then Sergeant Nelson may come back with his forces and make his case. Chief Murphy said he would request it be put over for 30 days for hearing. Commissioner Nelder said he would so move, Commissioner Toler seconded and it was unanimously approved to be continued for 30 days.

APPLICATION FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF JITNEYS.

The last time the Commissioners entertained this item the matter was continued to this date. The Commission had previously made a statement that no more public testimony would be accepted and that further information to be given to the Commission would be done so in writing. Offcier Farrell Suslow then gave the Commission a summary of the report submitted to the Commission from the Department. He said the report concurs with the claim of several applicants in that there is a need for additional jitneys on their street. Commissioner Nelder after questioning the Chief and receiving a response recommending the Commission approve additional jitneys on 3rd street but hold in abeyance a number until the Department can make that recommendation to the Commission, said he would make a motion approving the additional jitneys on 3rd street the number to be determined after the Department completes a survey. It was seconded by Commissioner Daly and unanimously approved.

Officer Suslow then said as to Mission Street which is a separate route was surveyed and found that there was a combination of existing Municipal Railway, Bart Sam Trans and existing Jitneys in addition to the private automobile existing there providing extensive, wide and varied level transportation on Mission Street. He said their field observation of specific jitneys operating showed that other than for very short times during the commute hours the jitneys are generally not used and there are very few people there at that time waiting for the jitneys. He said the average income for the jitneys worked up to something like 400 plus dollars per year.

After further testimony by Officer Farrell Suslow he said the above stated reasons are why the Department is recommending that no additional jitney permits be issued for Mission Street. Chief Murphy said that is his position also and that he concurred with that particular recommendation. Commissioner Murphy then moved that no additional jitney permits be granted for Mission Street. It was seconded by Commissioner Nelder and unanimously approved. Commissioner Sanchez then said at some point he would hope a recommendation would be forth coming regarding the actual number of jitney permits recommended for the third street route. Commissioner Daly said that she voted for this because she believes that the Department was correct in its assessment in that there isn't a need for additional jitney permits on Mission Street.

Chief Murphy said that is his position also and that he concurred with that particular recommendation. Commissioner Murphy then moved that no additional jitney permits be granted for Mission Street. It was seconded by Commissioner Nelder and unanimously approved. Commissioner Sanchez then said at some point he would hope a recommendation would be forth coming regarding the actual number of jitney permits recommended for the third street route. Commissioner Daly said that she voted for this because she believes that the Department was correct in its assessment in that there isn't a need for additional jitney permits on Mission Street.

However, she said, she would caution the Commission and everyone involved in that a great number of permits, it seems from the report by the department, have been desolved because of death and other things and as the Commission does with the taxi cabs, should be looked at, at this level as a maintenance level and see how things are going on Mission Street and when the permits come up for desolution because of Proposition K then the Commission should be informed and continue to look at the jitney service so that it won't just someday completely dissolve and we would not have anymore jitney service. So, she said, she just wanted to make certain that at the moment while there is no room for more permits to be issued she feels the order should be clear that the Commission does not necessarly desire, less. After receiving assurances that this would not occur Commissioner Sanchez then said that if there was no further discussion he wanted to thank Officer Suslow and the Staff for doing a comprehensive review and analysis of the complex problems submitted to the Commission on this subject a while back.

RESOLUTION NO. 155-83.

APPLICATION FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF JITNEYS ON THIRD STREET - APPROVED.

WHEREAS, each of the below-named persons applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of permits to operate a jitney bus in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on January 5, 1983, and continued to and including February 9, 1983; and

WHEREAS, applicants appeared before the Commission and presented evidence in support of their applications; and

WHEREAS, the various persons testified in opposition to the granting of additional permits and evidence in support of their position, was presented to the Commission; and

WHEREAS, the law required that in order for a declaration of public convenience and necessity to be made, the applicants shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit applications are made; and

WHEREAS, existing permit holders are, under normal conditions, inadequately serving the public; therefore be it

RESOLVED, that it is the decision of the Commission to issue four additional jitney bus permits for Third Street, bringing the total number of jitney busses for that particular route to five; and be it further

RESOLVED, that said permits shall be granted uner, under, and shall be revocable under, criteria and standards published by the Commission in conjunction with the applicable sections of the San Francisco Municipal Code.

Candance C. Nakagoshi
Homer Wood
Edmund L. Jung
Yung To
Herbert Lew

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 156-83.

APPLICATION FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF JITNEYS ON MISSION STREET-DENIED.

WHEREAS, each of the below-named persons applied to the Police Commission for a declaration by the Commission of Public Convenience and Necessity for the issuance of permits to operate a jitney bus in the City and County of San Francisco; and

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on January 5, 1983, and continued to and including February 9, 1983; and

WHEREAS, the various persons testified in opposition to the granting of additional permits and evidence in support of their position, was presented to the Commission; and

WHEREAS, the law required that in order for a declaration of public convenience and necessity to be made, the applicants shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; and

WHEREAS, existing permit holders are, under normal conditions, adequately serving the public; therefore be it

RESOLVED, that it is the decision of the Commission to deny additional jitney bus permits for Mission Street, and be it futher

RESOLVED, that said permits shall be denied to the below named applicants;

Antonio David
Thomas J. Ingheiram
DeGuzman, Cirilo M. Jr.
Leonilo S. Cabahit
Jose A. Vasquez
Edmund L. Jung
Jasimar Panggabean
Alberto DeGuzman
Harvey Lew
Dioadado S. Reyes
Eduardo A. Dela Cruz

PERMISSION TO ACCEPT A REWARD.

Chief Murphy said Officer Weaver last year during police week, was nominated the police officer of the year by the San Francisco Chamber of Commerce. He said also, subsequent to that time Officer Weaver was nominated and received the award from the International Association of Chief's of Police as the police officer of the year and in relation to that there was a great deal of notoriety. He continued by saying that Officer Weaver participated in an event with the National Broadcasting Company and in gratitude for this participation they have awarded him with a Quasar VTR electronic device the value of which is $995.00. He said Officer Weaver was here last week to accept but unfortunately this week he wasn't able to make it, so, he said, on behalf of Officer Weaver he would request that the Commission approve it. Commissioner Daly said she would make the motion that Officer Weaver be granted permission to accept it. It was seconded by Commissioner Nelder and unanimously approved.

PERMISSION TO ACCEPT A REWARD - APPROVED.

The request of Police Officer Edward J. Weaver, Traffic - Solo Motorcycle Detail, for permission to accept the "Quasar VTR" electronic device, valued at $995.00, for participating in an episode of the "Fantasy" television program, be, and the same is hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

HEARING ON THE REQUEST OF INSPECTOR THEODORE C. PECK, INVESTIGATIONS BUREAU, FOR A RECOMMENDATION FOR INDUSTRIAL DISABILITY RETIREMENT UNDER POLICE COMMISSION RESOLUTION NUMBER 979-82, LIMITED DUTY POLICY.

The hearing of the request of Inspector Theodore C. Peck, Investigations Bureau, for a recommendation of Industrial Disability Retirement was called, it having been set for this date.

Inspector Theodore C. Peck appeared in person and was represented by Sergeant Michael Hebel.

Deputy Chief James Shannon, Administration Bureau, appeared on behalf of the Police Department and presented an overview of Inspector Peck's request to the Police Commission.

Dr. Norman Steiner, the Police Surgeon, submitted an oral statement as to his diagnosis of Inspector Peck's condition and a diagnosis' of other physicians who examined Inspector Peck submitting that all found no objective findings.

Sergeant Michael Hebel made a presentation on behalf of Inspector Peck and then called Inspector Peck to the witness stand to give sworn testimony. After Inspector Peck's testimony was heard, Chief Cornelius P. Murphy recommended that Inspector peck not be retired under Police Commission Resolution No. 979-82, Limited Duty Policy.

Closing statement was then made by Sergeant Hebel.

Thereafter, the Police Commission took the matter under submission and continued it to February 16, 1983 for Decision.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 157-83.

AUTHORIZING ACCEPTANCE ON BEHALF OF THE SAN FRANCISCO POLICE DEPARTMENT THE GIFT OF A ROUND TRIP AIR FARE FOR ONE PERSON FROM THE SAN FRANCISCO VISITORS AND CONVENTION BUREAU.

RESOLVED, that the Police Commission of the City and County of San Francisco hereby authorizes the Chief of Police to accept on behalf of the City and County of San Francisco, the gift of a round trip air fare for one person from San Francisco to Washington, D.C. from a donor airline through the San Francisco Visitors and Convention Bureau for the purpose of having a staff member assist in making a credible presentation to the National Democratic Central Committee so they will favorably consider having the 1984 National Democratic Presidential nominating Convention in San Francisco. This gift is valued at less than $5,000.00.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

HEARING OF POLICE OFFICER EUGENE E. KALININ, PROPERTY CONTROL DIVISION.

The hearing of Police Officer Eugene E. Kalinin, Property Control Division, was called it having been set for this date. Police Officer Kalinin was charged with violating the Rulesand Procedures as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off duty (violations of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to answer questions truthfully (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Eugene E. Kalinin appeared in person and was represented by Mr. Charles Bryar, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statement was made by the Prosecuting Attorney.

Attorney Bryar reserved making an opening statement until after Prosecution had concluded its case.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Inspector Christopher Weld
Operations Center

Inspector Thomas Arnold
General Works Detail

Lily Estoles
Great Highway

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 - Intra-Departmental Memo, dated, Sun., October 10, 1982 - re. Notification - Members' Off - Duty Shooting Incident, prepared by Inspector Christopher Weld.

Exhibit #2 - One color photo - 6x6 of William Tercero's left knee.

Exhibit #3 - One color photo of William Tercero's leg showing two holes in pants.

Exhibit #4 - One color photo of William Tercero's right elbow showing abrasions.

Exhibit #5 - One color photo of William Tercero's left elbow showing minor abrasion.

Exhibit #6 - One color photo of William Tercero's right facial area showing abrasions on chin.

Exhibit #7 - One color photo of William Tercero's frontal facial area showing abrasion on chin.

Exhibit #8 - One color photo of William Tercero's right knee showing abrasions.

Exhibit #9 - One color photo of William Tercero's left elbow showing minor abrasion.

Exhibit #10- One color photo of Louis Tercero's front facial profile displaying injury to mouth.

Exhibit #11- Incident Report #822119124 - Assault on a Police Officer, 10/10/82, 0400 hours.

Exhibit #12- Communications tape case #822119124, 10/10/82.

Exhibit #13 - Two color photos, one marked #1 and one marked #2 - attached to a 8x14 size cardboard.

Exhibit #14 - Two color photos, one marked #3 and one marked #4 - attached to a 8x14 size cardboard.

Exhibit #15 - Two color photos marked #5 and #6 - attached to an 8x14 size cardboard.

Exhibit #16 - Two color photos marked #7 and #8 - attached to an 8x14 size cardboard.

Exhibit #17 - Diagram showing the area of Wawona St., 47th Ave., Great Highway, Sloat Blvd., and John's Ocean Beach Cafe. Square 1 inch equals 10 feet.

After listening to testimony from the above parties, the Commission then adjourned at 10:18 hours, and the above matter was continued to Tuesday, March 3, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortely, CSR).

HEARING OF POLICE OFFICER LOUIS P. TERCERO, PROPERTY CONTROL DIVISION.

The hearing of Police Officer Louis P. Tercero, Property Control Division, was called it having been set for this date. Police Officer Tercero was charged with violating the Rules and Procedures as follows;

SPECIFICATION NO. 1:

Failure to prevent crime while off-duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2:

Failure to answer questions truthfully (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3:

Discharging a firearm at a moving vehicle (violation of section I-C-2 of General Order F-1 of the San Francisco Police Department);

SPECIFICATION NO. 4:

Engaging in conduct which reflects discredit upon the department (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department.)

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer Louis P. Tercero appeared in person and was represented by Mr. John Prentice, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statement was made by the Prosecuting Attorney.

Attorney Prentice reserved making an opening Statement until after Prosecution and concluded its case.

The following named witnesses appeared for the Prosecution were sworn and testified:

Inspector Christopher Weld
Operation Center

Inspector Thomas Arnold
General Works Detail

Lily Estoles
Great Highway

The following exhibits were entered into evidence by the Prosecution:

Exhibit # 1 - Intra-Departmental Memo, dated Sun., October 10, 1982 - re. Notification - Members' Off-Duty Shooting Incident, Prepared by Inspector Christopher Weld.

Exhibit # 2 - One color photo - 6x6 of William Tercero's left knee.

Exhibit # 3 - One color photo of William Tercero's leg showing two holes in pants.

Exhibit # 4 - One color photo of William Tercero's right elbow showing abrasions.

Exhibit # 5 - One color photo of William Tercero's elbow showing minor abrasion.

Exhibit # 6 - One color photo of William Tercero's right facial area showing abrasions on chin.

Exhibit # 7 - One color photo of William Tercero's frontal facial area showing abrasion on chin.

Exhitit # 8 - One color photo of William Tercero's right knee showing abrasions.

Exhibit # 9 - One color photo of William Tercero's left elbow showing minor abrasion.

Exhibit #10 - One color photo of Louis Tercero's front facial profile displaying injury to mouth.

Exhibit #11 - Incident Report #822119124 - Assault on a Police Officer, 10/10/82, 0400 hours.

Exhibit #12 - Communications tape - Case #822119124, 10/10/82.

Exhibit #13 - Two color photos, one marked #1 and one marked #2 - attached to an 8x14 size cardboard.

Exhibit #14 - Two color photos, one marked #3 and one marked #4 - attached to an 8x14 size cardboard.

Exhibit #15 - Two color photos marked #5 and #6 - attached to an 8x14 size cardboard.

Exhibit #16 - Two color photos marked #7 and #8 - attached to an 8x14 size cardboard.

Exhibit #17 - Diagram showing the area of Wawona St., 47th Ave., Great Highway, Sloat Blvd., and John's Ocean Beach Cafe. Square 1 inch equals 10 feet.

After listening to testimony from the above parties, the Commission then adjourned at 22:18 hours, and the above matter was continued to Tuesday, March 8, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, CSR).

HEARING OF POLICE OFFICER WILLIAM A. TERCERO, PROPERTY CONTROL DIVISION.

The hearing of Police Officer William A. Tercero, Property Control Division, was called it having been set for this date. Police Officer Tercero was charged with violating the Rule and Procedures as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to answer questions truthfully (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer William A. Tercero appeared in person and was represented by Mr. Stephen Bley, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statement was made by the Prosecuting Attorney.

Attorney Bley reserved making an opening statement until after Prosecution had concluded its case.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Inspector Christopher Weld
Operations Center

Inspector Thomas Arnold
General Works Detail

Lily Estoles
Great Highway

The following exhibits were entered into evidence by the Prosecution:

Exhibit # 1 - Intra-Departmental Memo, dated Sun., October 10, 1982 - re. Notification - Members' Off-Duty Shooting Incident, prepared by Inspector Christopher Weld.

Exhibit # 2 - One color photo - 6x6 of William Tercero's left knee.

Exhibit # 3 - One color photo of William Tercero's leg showing two holes in pants.

Exhibit # 4 - One color photo of William Tercero's right elbow showing abrasions.

Exhibit # 5 - One color photo of William Tercero's left elbow showing minor abrasion.

Exhibit # 6 - One color photo of William Tercero's right facial area showing abrasions on chin.

Exhibit # 7 - One color photo of William Tercero's frontal facial area showing abrasion on chin.

Exhibit # 8 - One color photo of William Tercero's right knee showing abrasions.

Exhibit # 9 - One color photo of William Tercero's left elbow showing minor abrasion.

Exhibit #10 - One color photo of Louis Tercero's front facial profile displaying injury to mouth.

Exhibit #11 - Incident Report #822119124 - Assault on a Police Officer, 10/10/82, 0400 hours.

Exhibit #12 - Communications tape Case #822119124, 10/10/82.

Exhibit #13 - Two color photos, one marked #1 and one marked #2 - attached to an 8x14 size cardboard.

Exhibit #14 - Two color photos, one marked #3 and one marked #4 - attached to an 8x14 size cardboard.

Exhibit #15 - Two color photos marked #5 and #6 - attached to an 8x14 size cardboard.

Exhibit #16 - Two color photos marked #7 and #8 - to an 8x14 size cardboard.

Exhibit #17 - Diagram showing the area of Wawona St., 47th Ave., Great Highway, Sloat Blvd., and John's Ocean Beach Cafe. Square 1 inch equals 10 feet.

After listening to testimony from the above parties, the Commission then adjourned at 22:18 hours, and the above matter was continued to Tuesday, March 8, 1983 at 5:00 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, CSR).

The Commission then adjourned its meeting in memory of Sgt. Robert Guenley at 10:18 p.m.

Willie E. Frazier

WILLIE E. FRAZIER
SECRETARY

16 FEBRUARY 1982 REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 16, 1982 at 5:30 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Sanchez

ABSENT : Commissioners Murphy, Toler

Commissioner Sanchez presiding.

DOCUMENTS DEPT.
MAY 12 1983
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Sanchez at this time asked that the Agenda be revised by going to item #7 Appointment of Police Chaplain Lawrence Au. Commissioner Sanchez said this is a very special occassion for the Police Commission Agenda, and the Commission, he said to Rev. Au, would just like to share with the Reverend and his family the Commission's respects and gratitude for Reverend Au's volunteering and nomination to serve as one of the San Francisco Police Department's Police Chaplains. He said Commissioner Toler, who could not be here this evening, has spoken highly of the Reverend Au and his work along with a number of other distinguished San Franciscans who have particularly articulated the Reverend's outstanding service to the citizens of San Francisco. He continued by saying to the Reverend that the Reverend's service record has been quite distinguished, that it is also known that he served as the pastor of his church here in San Francisco for 16 years, served and distinguished himself as an Air Force Chaplin and served in Malaysia besides. He said above and beyond that the Reverend has held high ranking positions in the San Francisco Council of Churches articulating the needs of the citizens of our City. He said, on behalf of the San Francisco Police Commission, best wishes on the Reverend Au's nomination and his appointment and swearing in by Chief of Police Cornelius Murphy this afternoon. The Reverend Lawrence Au was then sworn in as a Chaplain for the San Francisco Police Department by Chief of Police Cornelius P. Murphy. Police Chaplain Lawrence Au then in an address to the Commission and the audience said that it was to his great joy and pride to be sworn in as a S. F. Police Chaplain in the presence of everyone attending today. He said this is a plesant surprise for most of the Chinese people of S. F. today because he feels this is more important than Chinese New Year. He said he had just received a letter from a friend in Texas telling him that he is now a member of one of the best well known and notable Police departments in America. He said he felt that his presence here is not merely enhancing for the Dept. but also now it has become a reality to be of help to those who are in need.

REQUEST OF INSPECTOR THEODORE C. PECK, INVESTIGATIONS BUREAU, FOR A RECOMMENDATION FOR INDUSTIRAL DISABILITY REITREMENT (CONTINUED FROM MEETING OF FEBRUARY 9, 1983).

Commissioner Sanchez said the Commission had held this over from last week's meeting for consideration at tonight's meeting but unfortunately two Commissioners who had participated int his matter are not present tonight. Therefore, he said, he would request that this matter be continued for two more weeks in order for the full Commission to be able to participate. It was then moved for continuance by Commissioner Nelder, seconded by Commissioner Daly, and unanimously approved for a continuance of two weeks.

RESOLUTION NO. 245-83.

SETTING OF DATE FOR HEARING OF POLICE OFFICER DOUGLAS D. HANSEN, POTRERO STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Douglas D. Hansen, Potrero Station was called it having been set for this date; and

WHEREAS, it was requested by Michael Gash, attorney for the San Francisco Police Department, that the date for the setting of the hearing before the Police Commission be set for Wednesday, May 4, 1983; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary action filed against Police Officer Douglas D. Hansen, Potrero Station, is set for Wednesday, May 4, 1983 at 5:30 P.M. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RECOMMENDATION OF THE TRAFFIC BUREAU- GRANTED.

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public Street, be, and the same are hereby approved:

2101 POLK STREET - LORD JIMS - GRANTED.

a) At 2101 Polk Street, install 18' white zone extending from 7' to 25' north of Broadway - SPECIAL PASSENGER ZONE 6 P.M. MIDNIGHT.

b) Sign to be mounted on meter #2101 Polk Street.

1798 19TH AVENUE - 19TH AVENUE FLOWERS AND GIFTS - GRANTED.

a) At 1798 19th Avenue, install 22' Green zone extending from 30' to 52' South of the North property line.

1832 BUCHANNAN STREET - MIHARA - NAKAMOTO BUILDING - GRANTED.

a) At 1832 Buchannan Street, install 22' White zone extending from 128' to 150' North of Sutter.

823 PACIFIC STREET - HOP DHEUNG MARKET - DENIED.

a) At 823 Pacific Street, install 22' Yellow SPECIAL TRUCK ZONE, extending from 75' to 97' west of Stockton Street.

b) Sign to be installed on Meter #PAC809 - 8 A.M. to 6 P.M.

825 PACIFIC STREET - TAJ OF INDIA - GRANTED.

a) At 825 Pacific Street, install 21' White zone, SPECIAL PASSENGER ZONE 5:30 P.M. - 11:30 P.M. extending from 21' to 42' east of west line of 829 Pacific Street.

b) Parking meter to be installed.

1201 VICENTE AVENUE - ALFRED LEE (HEAVENLY OCEAN RESTAURANT) - GRANTED.

a) At 1201 Vicente Avenue - install 22' White zone, extending from 22' west from the property line 22' west.

225 11th STREET - DON RAMON'S RESTAURANT - GRANTED.

a) At 225 11th Street, install 20' White zone, extending from 14' to 34' south of the north property line.

b) Revoke existing yellow zone.

835 PACIFIC STREET - S.F.P.D. - REVOKED.

a) At 835 Pacific Street, revoke existing 22' White zone, extending from 33' to 55' east of Trenton Street.

b) Install meter.

701 GUERRERO STREET - S.F.P.D. - REVOKED.

a) 3595 19th Street, revoke existing 27' Yellow zone, extending from east from Guerrerro Street.

1527 STOCKTON STREET - S.F.P.D. - REVOKED.

a) At 1527 Stockton Street, revoke existing 72' Yellow zone SPECIAL TRUCK LOADING ZONE, extending from 63' to 135' south of Union Street.

2235 POLK STREET - S.F.P.D. - REVOKED.

a) At 2235 Polk Street, revoke existing 20' White zone, extending from 4' to 24' north of the south property line.

801 UNION STREET - S.F.P.D. - REVOKED.

a) At 1799 Union Street, revoke existing 25' Yellow zone, extending from 12' to 37' south of Union Street.

2222 FILLMORE STREET - S.F.P.D. - REVOKED.

a) At 2222 Fillmore Street, revoke existing 22' Yellow zone, extending from 5' to 27' south of the north bldg. line.

2200 FILLMORE STREET - PACIFIC HEIGHTS MERCHANTS - GRANTED.

a) At 2200 Fillmore Street, install 44' Yellow zone, extending from 15' to 59' north of Sacramento Street.

REVOKED.

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 188 feet of red, green, yellow and blue zones, at the parts of the City, at the location submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Murphy, Toler

RESOLUTION NO. 163-83.

TROY MACK.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Troy Mack against the City and County of San Francisco in the sum of $59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 12, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 164-83.

SHIREEN HUTTE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shireen Hutte against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be,and, the same is hereby approved.

Date of Incident: January 17, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 165-83.

JANICE M. GRAB.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janice M. Grab against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 14, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 166-83.

ALLISON GOLDBERG.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allison Goldberg against the City and County of San Francisco in the sum of $68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 14, 1982

AYES: Commissioenrs Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 167-83.

BENJAMIN F. EVANS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Benjamin F. Evans against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 168-83.

ANA L. ESTRADA.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ana L. Estrada against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 8, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 169-83.

MICHAEL T. COIN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael T. Coin against the City and County of San Francisco in the sum of $33.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 14, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioenrs Toler, Murphy

RESOLUTION NO. 170-83.

DAWN JENNIFER COHEN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dawn Jennifer Cohen against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 7, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 171-83.

OLGA E. BRYSON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Olga E. Bryson against the City and County of San Francisco in the sum of $77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 13, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 172-83.

GAIL R. BRIDGETT.

RESOLVED, that the recommendation of the City Attorney for settlment of the claim of Gail R. Bridgett against the City and County of San Francisco in the sum of $119.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 6, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO, 173-83.

YAO-MING PAN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yao-Ming Pan against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 3, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION No. 174-83.

JAMES E. NELSON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James E. Nelson against the City and County of San Francisco in the sum of $96.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 12, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioner Toler, Murphy

RESOLUTION NO. 175-83.

PAUL G. MACLEOD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul G. MacLeod against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 176-83.

BRIAN G. MULLEN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brian G. Mullen against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 6, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 177.83.

LOIS SHERMAN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lois Sherman against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 178-83.

SHARON LEE SUNDSTEN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sharon Lee Sundsten against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 14, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 179-83.

ANTONE M. PUSKAS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Antone M. Puskas against the City and County of San Francisco in the sum of $33.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 12, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 180-83.

THADDEUS USOWIEZ.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thaddeus Usowiez against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 2, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 181-83.

A. JAMES TRABULSE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of A. James Trabulse against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 182-83.

WILLIAM O. ROBINSON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William O. Robinson against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 18, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 183-83.

WILLIAM WONG.

RESOLVED, that the recommendation of the City Attorney for settlemen of the claim of William Wong against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Janaury 13, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 184-83.

KERRY E. WITCHER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kerry E. Witcher against the City and County of San Francisco in the sum of $33.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 17, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 185-83.

DON HULME.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Don Hulme against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 21, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 186-83.

THERESA AVANSINO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Theresa Avansino against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 3, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 187-83.

JEANETTE WHELPLEY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeanette Whelpley against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 9, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 188-83.

YVETTE SMITH.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Yvette Smith against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 13, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 189-83.

MIKE DANESE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mike Danese against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 11, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 190-83.

PIEKARSKI WITOLD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Piekarski Witold against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 191-83.

DAVID STAHL.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Stahl against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Janaury 10, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 192-83.

MAJED DAJANI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Majed Dajani against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 14, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 193-83.

THOMAS STEVEN BOUCHARD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas Steven Bouchard against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 7, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 194-83.

FREDERICK E. SCARDELLETTE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frederick E. Scardellette against the City and County of San Francisco in the sum of $123.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 195-83.

ROBERT J. GEE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert J. Gee against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Janaury 10, 1983

AYES: Commissioner Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 196-83.

LARRY P. CECCATO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry P. Ceccato against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Janaury 11, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 197-83.

ELIZABETH B. FULTON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth B. Fulton against the City and County of San Francisco in the sum of $68.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 198-83.

JESSIE MARILYN THOMPSON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jessie Marilyn Thompson against the City and County of San Francisco in the sum of $180.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 27, 1982

AYES: Commissioners Daly, Nelder, Snachez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 200-83.

TIMMY YAN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Timmy Yan against the City and County of San Francisco in the sum of $132.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 17, 1982

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 201-83.

JODY LEVY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jody Levy against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 9, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 202-83.

SID ARMSTRONG.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sid Armstrong against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 2, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 203-83.

MICHELLE E. ROSE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michelle E. Rose against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 18, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 204-83.

MARGARET ROSEN.

RESOLVED,that the recommendation of the City Attorney for settlement of the claim of Margaret Rosen against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 17, 1983

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

TRAVELING EXPENSE VOUCHERS - APPROVED.

RESOLUTION NO. 205-83.

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Commander Richard Trueb)	$135.00	(17th Annual
Lieutenant James Sturken)	122.50	(Employee
Sergeant Edmund Pecinovsky)	135.00	(Relations Institute
		(Conference
		(San Jose, California
		(01/26/83-01/27/83

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLUTION NO. 206-83.

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Captain Richard Klapp)	$144.00	(Commission on Peace
Lieutenant Ro n Jackson)	144.00	(Officer Standards
		(and Training
		(P.O.S.T. Quarterly
		(Meeting
		(San Diego, California
		(01/27/83

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

(* Lt. Sturken refunded $12.50 - Check #124, February 4, 1983).

Deputy Chief Shannon said this is merely a procedure to give the Department more space in the storage of records. He said the Department collects about 2½ million citations a year and it takes about 100 boxes to store them all. He said the current schedule calls for maintaining them for about two years and the request is now for permission to reduce it from two years to one year which is what the state law allows. Commissioner Nelder then made a motion to amend the resolution allowing for a one year retention date only, Commissioner Daly seconded and it was unanimously approved.

RESOLUTION NO. 160-83.

AMENDMENT TO RECORDS DESTRUCTION REGARDING NOTICES OF TRAFFIC VIOLATIONS - APPROVED.

WHEREAS, the Police Commission approved a Records Destruction Schedule that was subsequently enacted into law as Board of Supervisors Resolution 305-81; and

WHEREAS, the Schedule authorizes the destruction of the Department's copies of Notices of Traffic Violation after two years (page 20); and

WHEREAS, the copies of the Notices of Traffic Violation retained by the Department occupy space needed by the Department for other uses; and

WHEREAS, Government Code Section 26201 authorizes the destruction of any copy of a notice to appear in court 12 months after the original of such notice is filed with magistrate; and

WHEREAS, that San Francisco Police Department receives the original and a copy of such notices and, upon receipt, retains a copy and sends the original to the Traffic Fines Bureau; therefore be it

RESOLVED, that this Board of Police Commissioners recommends that the San Francisco Police Department be authorized to destroy, without making copies, the copies of Notices of Traffic Violation after one year and approves a corresponding amendment of the Record Destruction Schedule 2526C for the Police Departm t approved by the Board of Supervisors by Resolution Number 205-81.

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RESOLVED, that expenses incurred by Sgt/Insps. Donnie Hansen and Harold Suslow, General Works Detail, in a sum not to exceed $360.00 each for subsistence and travel are reimbursable by P.O.S.T.

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

POLICE COMMISSION REPORT.

Commissioner Sanchez said the Commission is reporting that there will be a third hearing date pertaining to the Officer of Civilian Complaints. He said the date will be posted and disseminated through the press and media and also in the Sunday Chronicle - Examiner of March 6th along with the Progress the official newspapers and the Commission would welcome community input and response at that time.

CHIEF'S REPORT TO THE POLICE COMMISSION.

The Chief said he had no report tonight.

PRESENTATION OF CITIZENS' AWARDS.

Commissioner Sanchez said on behalf of the San Francisco Police Commission that those who are present and receiving awards tonight are greatly appreciated for their outstanding deeds and services to the citizens of the City. He said the Commission could not say more other than "Thank God for having people like you in the city." The following citizens were present and received awards:

Ms. Wendy Berk
Mr. John Holliver
Mr. Edgar Boucher
Mr. Thomas Guinasso
Mr. Timothy Guinasso
Mr. Harry Garver
Mr. Larry Gutierrez
Mr. Daniel Smith
Mr. Huberto Lopez
Mr. Leo Hoffman
Mr. August Braneon
Commander Mark Hopper
Mr. Gregory Sergein

Thoses receiving awards and were unable to attend were:

Mr. Bruce Kaiser
Mr. Abraham Louy
Mr. Sanford Witaker

RESOLUTION NO. 158-83.

DEPARTMENT GENERAL ORDER Z-2-WARRANT ARRESTS - APPROVED.

RESOLVED, that the Police Commission hereby approves Department General Order A-1 regarding Written Communication System.

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION APPROVE A PROPOSED REFRESHER TRAINING PROGRAM IN CROWD MANAGEMENT AND CONTROL AND ADOPTION OF THE SIDE HANDLE BATON.

Deputy Chief James Shannon said he would request that this item be continued to March 16th which is one of the Administrative Meeting dates set aside by the Police Commission to hear administrative matters only. Commissioner Nelder said he would so move Commissioner Daly seconded and it was unanimously approved.

REQUEST OF MR. FELIX ARBELOA, MS. MINNE AARON, MR. STANLEY FONG, MR. LOUIS F. JEAN, MR. JESUS LOPEZ, MR. WILLIAM H. LOSA, MR. JOHN PICKETT TO INCREASE THE PASSENGER CAPACITY OF THEIR JITNEY BUSSES FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS. (CONTINUED TO MARCH 30, 1983).

Officer Lamont Suslow appeared on this matter and pointed out to the Commissioners that the Chief has submitted this request on behalf of the named persons without a recommendation. Chief Murphy said the only reasons that these request were forwarded without a recommendation was because the Commission has gone through the Public Convenience and Necessity Hearings and at that time there was a great deal of testimony saying that there was no need for additional jitneys on the Mission Street Route and the number of requests that are here tonight would in effect put another Jitney bus on. He said so rather than give the Commission a recommendation he decided to wait until the Commission came up with a decision on the other matter. Commissioner Daly said she would agree to put this over but tonight there are 7 people asking for an increase of three more passengers for their jitneys and then she said, she gets material from the department saying that it appears that these people can't make a living. And now she said, she assumes that these jitneys are filled to capacity otherwise why would they want more seats and because of this she did not feel the Commission currently has their hands on the answers as far as what the picture really looks like. She said arguments are of course are coming from sides that have their own self interest in mind so she said she would like to have a closer look or a more clearer answer to the question of if it is true you can't make a living why is it that she can stand and watch jitneys going by filled to capacity? She said because of this she wonders if the Commission has taken a close enough independent look at this situation. She said it has been recommended to the Commission throughout these hearings that the Commission approve request for passenger increases, but maybe she said, what she would like to know from each of the 7 people is their justification for needing the additional seats and what the difference would be in their incomes and what hours they are operating. Also she said, are they buying new vans. Officer Suslow said most will be using the same vans, maxi vans which will allow for adding of three more seats. He said he felt almost positive that all 7 will be using the same vans. Commissioner Nelder said that he would make a motion that the answers to the questions raised by Commissioner Daly and the Chief and plus the answer to the safety factor of increasing passenger capacity be brought back to the Commission for further hearing of March 30, 1983. It was seconded by Commissioner Daly and unanimously approved.

HEARING OF SERGEANT CHARLES E. WARREN, JR., TACTICAL DIVISION. (CONTINUED FROM MEETING OF JANUARY 26, 1983 - CONTINUED TO MARCH 23, 1983).

Commissioner Sanchez said that the fact that on this case the full Commission has been present on two previous occassions during its presentation and because two of them are absent tonight the request for a continuance should be granted. Commissioner Nelder then moved that the matter be continued to March 23, 1983. Commissioner Daly seconded and it was unanimously approved.

RESOLUTION NO. 285-83.

HEARING OF SERGEANT CHARLES WARREN, TACTICAL DIVISION-CONTINUED FROM MEETING OF WEDNESDAY, JANUARY 26, 1983.

WHEREAS, the hearing of Sergeant Charles Warren, Tactical Division, was called it having been set for this date; and

WHEREAS, it has been requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that because of the absence of a full complement of Police Commissioners, the matter be continued to March 23, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Sergeant Charles Warren, Tactical Division, is continued to Wednesday, March 23, 1983, at 5:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER LESLIE CHONG, INGLESIDE STATION.

The hearing of the appeal of the suspension of Police Officer Leslie Chong, Ingleside Station, was called it having been set for this date. Police Officer Leslie Chong appeared in person, and was represented by San Francisco Police Officers' Association President Bob Barry, Vice President Paul Chignell and SFPOA attorney Mr. Ralph Saltsman.

Mr. Jerry Akins Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Attorney Akins.

The follwoing witnesses appeared for the Prosecution, were sworn, and testified:

Deputy Chief George Eimil
Field Operations Bureau

Captain Leslie Chong
Ingleside Station

Dispatcher Debra Rossbach
Communications Division

Closing statements were made by SFPOA President Bob Barry and Vice President Paul Chignell.

A closing statement was made by Prosecuting Attorney Akins.

A closing statement was made by Chief of Police Cornelius P. Murphy.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 208-83.

DICISION - HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF POLICE OFFICER LESLIE CHONG.

WHEREAS, Police Officer Leslie Chong was suspended without pay by the Chief of Police pursuant to Section 8.353 of the Charter of the City and County of San Francisco, Rule 3.06 of the Rules and Procedures of the San Francisco Police Department for a period of ten (10) working days, five (5) of which were to be held in abeyance for a one-year period; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer Leslie Chong did file with the Secretary of the Police Commission a written apeal of this suspension by the Chief of Police; and

WHEREAS, on Wednesday, February 16, 1983 the matter was heard by the Police Commission, at which time it was determined that Police Officer Leslie Chong was not in compliance with the requirements of Rule A-9 of General Order D-1; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's suspension of ten (10) working days without pay administered to Police Officer Leslie Chong, Ingleside Police Station, be and the same is hereby sustained; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Chong's Chief's suspension shall be served as follows: five (5) working days without pay commencing at 0001 hours on Friday, February 18, 1983 and concluding at 2400 hours on Tuesday, February 22, 1983. The remaining five days shall be held in abeyance for a one-year period and in the event that there are no further sustained complaints of the same or similar conduct occurring before the expiration of one year, the five days held in abeyance shall be dismissed.

AYES: Commissioners Daly, Nelder, Sanchez

ABSENT: Commissioners Toler, Murphy

The Commission then adjourned its meeting in memory of Inspector Frank Murphy at 9:20 p.m.

WILLIE E. FRAZIER
SECRETARY

approved

Minutes

23 FEBRUARY 1983 EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, February 23, 1983 at 1700 hours in Executive Session.

PRESENT: Commissioners Nelder, Murphy, Sanchez, Toler

ABSENT: Commissioner Daly

Commissioner Sanchez presiding.

DOCUMENTS DEPT.
JUN 7 1983
SAN FRANCISCO
PUBLIC LIBRARY

1. Attorney-Client Conference

No vote taken.

23 FEBRUARY 1983 REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, February 23, 1983 at 1700 hours in regular session.

PRESENT: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT : Commissioner Daly

Commissioner Sanchez presiding.

RESOLUTION NO. 234-83.

SETTING OF DATE FOR HEARING OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Jeffrey Williams, Mission Station, was called it having been set for this date; and

WHEREAS, it was requested that the date for the hearing before the Police Commission be set for March 30, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Jeffrey Williams is set for Wednesday, March 30, 1983 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 235-83.

STATUS REPORT IN THE MATTER OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION.

WHEREAS, the status report in the matter of Police Officer Jeffrey Williams, Mission Station, was called it having been set for this date;

WHEREAS, Mr. Stephen Bruce Bley, Attorney for Police Officer Jeffrey Williams, requested a continuance in this matter; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jeffrey Williams, Mission Station , is set for Wednesday, April 27, 1983 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 236-83.

STATUS REPORT IN THE MATTER OF POLICE OFFICER MARK SOLOMON, RECORD ROOM.

WHEREAS, the status report in the matter of Police Officer Mark Solomon, Record Room was called it having been set for this date;

WHEREAS, Mr. Stephen Bruce Bley, Attorney for Police Officer Mark Solomon, requested a continuance in this matter; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Mark Solomon, Record Room, is set for Wednesday, April 27, 1983 at 5:30 p.m., in Room 551, Hall Of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

POLICE COMMISSION REPORT.

Commissioner Murphy bought up the subject of creating some new ground rules pertaining to voting on administrative hearings. She suggested since it is sometimes unavoidable for a Commissioner to be absent from a meeting, when this happens she would like the ground rules set up so that if there are at least three Commissioner's present who have attended the hearings for a particular subject that those three Commissioner's would be enough present for a sufficent vote. Commissioner Murphy then asked for the staff to prepare their thoughts on this subject for later use.

Last year in S.F. there was a 5% reduction in major crime, the lowest since 1975. So far this year from January 1, to February 21, 1983, homocides 52% reduction, 10 homocides this year compared to 21 homocides of last year. Rape is down 17.9%, robbery is down 32.7%, in the Tenderloin robbery is down 32.8%, in the Western Addition robbery is down 27.1%, South of Market area is down 36.6%, aggravated assault City wide is down 6.3%, burglary City wide is down 25.6%, larceny is down 1.2%, purse snatches is down 20.1%. The only increase the City has had is a slight increase in auto theft which is up 3.1%, last year S. F. auto theft was the lowest since 1962, there has been a slight increase this year. The over all volume of crime is down by 10.8% this year in S.F.

The Chief was then asked what he attributed the decrease in crime to, the Chief replied that the S.F. P.D. now has a full staff, also a lot of community involvement, which raised awareness in the criminal justice system which leads to more arrests and convictions.

Commissioner Nelder then asked about the Mission District as there have been two murders in that district recently, and wanted to know if these were gang related and what the status on the gang activity is. The Chief replied that the gang situation is still volatile, but the area is being patrolled and the Community Relations members are trying to meet with the gangs and bring the gang groups together to work out their problems, and are making progress with them.

PERMISSION TO ACCEPT A REWARD - APPROVED.

The request of Police Officer Timothy Quan, Taraval Police Station, for permission to accept the $75.00 reward offered for apprehension of a F. S. Navy deserter, subject to Conditions of Retention as delineated in Department General Order D-1, be, and the same is hereby approved.

AYES: Commissioner Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 231-83.

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED.

WHEREAS, Police Officer Bobby Williams, Ingleside Station, was suspended without pay effective 1700 hours, Tuesday, November 30, 1983, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Bobby Williams, Ingleside Station, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Bobby Williams, Ingleside Station, be placed on a Leave of Absence Without Pay at this request for a period of sixty (60) days commencing Janaury 19, 1983 until March 20, 1983, be, and the same is hereby approved.

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 232-83.

POLICE OFFICER CHRISTOPHER MALLIS, SUPPORT SERVICES BUREAU. (RESIGNED).

WHEREAS, on January 12, 1983, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Christopher Mallis, as follows:

SPECIFICATION NO. 1

Failure to remain at home while on sick leave (violation of Rule 5.57 of the Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 2

Drinking intoxicating liquor on duty or while in uniform (violation of Rule B-1 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency and discipline of the department and which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

WHEREAS, the Police Commission set Wednesday, February 23, 1983, as the date for the hearing of charges filed against Police Officer Christopher Mallis; and

WHEREAS, Chief of Police Cornelius P. Murphy announced that the Police Department was in receipt of the resignation of Police Officer Christopher Mallis from the San Francisco Police Department; said resignation effective February 23, 1983, which resignation was accepted with the condition that the services of Police Officer Christopher Mallis have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Police Officer Christopher Mallis, be, and the same are hereby continued off calendar.

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

HEARING OF CAPTAIN DONALD A. GOAD, MUNI TRANSIT DIVISION.

The hearing of Captain Donald A. Goad, Muni Transit Division, was called it having been set for this date. Captain Goad was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to conduct a thorough investigation of misconduct by a member of his command (violation of Rule 2.245 of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Captain Donald A. Goad appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as the Prosecutor for the Police Department.

An opening statement was made by Defense Attorney Bley and he requested that Captain Goad's hearing be held and heard separately from that of Officer Dennis H. Alavrenga's hearing. The Commission, by unanimous vote, denied this request.

Opening statement was made by the Prosecuting Attorney.

Defense attorney reserved making an opening statement until after Prosecution had concluded its case.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Sanford M. Cipenko
Attorney at Law, 540 Pacific Ave., S.F. 94133

Mr. Dennis Filas
85 Toledo Way, San Francisco, Ca.

Ms. Sharon Lydic
582 Market, 17th Floor, San Fransco, Ca.

Dr. Andrew Carver
3400 California Street, San Francisco, Ca. 94118

Officer Johnny Valsquez
Northern Station

Officer Ricky Terrell
Northern Station

After listening to testimony from the above parties, the Commission then adjourned at 9:45 p.m., and the above matter was continued to Wednesday, March 30, 1983 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Toler, Murphy, Sanchez

ABSENT: Commissioner Daly

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, CSR).

HEARING OF POLICE OFFICER DENNIS H. ALVARENGA, MUNI TRANSIT DIVISION.

The hearing of Police Officer Dennis H. Alvarenga, Muni Transit Division, was called it having been set for this date. Officer Alvarenga was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to take proper action to prevent crime while off-duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to maintain himself in a fit condition to perform police duties while carrying a firearm off-duty (violation of Rule A-3 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Failure to treat members of the public with courtesy and respect while acting in the capacity of a peace officer while off-duty (violation of Rule A-14 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 4

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department and which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

In a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Officer Dennis H. Alvarenga appeared in person and was represented by Mrs. Janis Musante, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as Prosecutor for the Police Department.

An opening statement was made by Defense Attorney Bley and he requested that Captain Goad's hearing be held and heard separately from that of Officer Dennis H. Alvarenga's hearing. The Commission by unanimous vote, denied this request.

Opening statement was made by the Prosecuting Attorney.

Defense Attorney Musante reserved making an opening statement until after Prosecution had concluded its case.

The following named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Sanford M. Cipenko, Attorney at Law
540 Pacific Avenue, San Francisco, Ca. 94133

Mr. Dennis Filas
85 Toledo Way, San Francisco, Ca.

Ms. Sharon Lydic
582 Market St., 17th Floor, San Francisco, Ca.

Dr. Andrew Carver
3400 California St., San Francisco, Ca. 94118

Officer Johnny Velasquez
Northern Station

Officer Ricky Terrell
Northern Station

After listening to testimony from the above parties, the Commission then adjourned at 9:45 p.m., and the above matter was continued to Wednesday, March 30, 1983 at 5:30 p.m., in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Bonnie Mortley, CSR).

RESOLUTION NO. 210-83.

COLIN CORMAN.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Colin Corman in the sum of $806.00 in Small Claims Court Action No. 408-554, entitled "Colin Gorman vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 9, 1982

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 209-83.

JACQUELINE HOLLAND.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jacqueline Holland against the City and County of San Francisco in the sum of $1, 700.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 30, 1982

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 211-83.

PATRICIA HARRIS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia Harris against the City and County of San Francisco in the sum of $243.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 20, 1982

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 212-83.

ISSIE BORENSTEIN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Issie Borenstein against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 213-83.

CRAIG BEACHLER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Craig Beachler against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 214-83.

FRANK L. PUMPHREY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank L. Pumphrey against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 11, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 215-83.

ERNEST SPRAGUE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ernest Sprague against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 10, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 216-83.

MICHAEL ZAREMSKI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Zaremski against the City and County of San Francisco in the sum of $38.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 13, 1982

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 217-83.

JOHN POGGENSEE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Poggensee against the City and County of San Francisco in the sum of $96.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 11, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 218-83.

ROYE EARBY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roye Earby against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Janaury 27, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 219-83.

STEPHEN SPRINGER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stephen Springer against the City and County of San Francisco in the sum of $59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 19, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 220-83.

ANTHONY WINOGROCKI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony Winogrocki against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 31, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 221-83.

JERRY MITCHELL.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerry Mitchell against the City and County of San Francisco in the sum of $35.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 24, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 222-83.

ROBERT H. WINN JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert H. Winn Jr. against the City and County of San Francisco in the sum of $36.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 16, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 223-83.

PAUL LAURI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Lauri against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 13, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 224-83.

EVELYN SCHWARZ.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Evelyn Schwarz against the City and County of San Francisco in the sum of $36.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 22, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 225-83.

JILL O'MAHONY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jill O'Mahony against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 226-83.

ANN BOCK.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ann Bock against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be,and the same is hereby approved.

Date of Incident: January 21, 1983

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 227-83.

SUSAN J. JACKSON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan J. Jackson against the City and County of San Francisco in the sum of $98.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 29 or 30th, 1982

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 228-83.

PARVESH AND SANYA SAHI.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Parvesh and Sanya Sahi in the sum of $50,000.00 in Superior Court Action No. 764-195, entitled "Sanya Sahi, a minor, et al., vs the City and County of San Francisco, et al., as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 2, 1979

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

TRAVELING EXPENSE VOUCHERS - APPROVED.

RESOLUTION NO. 229-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Criminalist Christopeher Johansen) $135.00 (Forensic
(Alcohol
(Supervisor
(Course
(Modesto, Ca.
(01/17/83-
(01-21-83

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

RESOLUTION NO. 230-83.

RESOLVED, that the Traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sgt/Insp. Calvin Nutting) $321.00 (11th Annual
Sgt/Insp. Robert McEachern 321.00 (Robbery
(Investigators
(Training
(Seminar
(Las Vegas, Nevada
(02/02/83 -
(02/04/83

AYES: Commissioners Toler, Nelder, Murphy, Sanchez

ABSENT: Commissioner Daly

DOCUMENTS DEPT.
JUL 8 1983
SAN FRANCISCO
PUBLIC LIBRARY

THE COMMISSION THEN ADJOURNED ITS MEETING AT 9:45 p.m.

WILLIE E. FRAZIER
SECRETARY

Minutes

24 FEBRUARY 1983 SPECIAL SESSION

The Police Commission of the City and County of San Francsico met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, February 24, 1983 at 1700 hours in special session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

PUBLIC HEARING OF OFFICE OF CITIZENS COMPLAINTS.

Commissioner Sanchez asked that the people who wanted to speak regarding the OCC sign the roster and then they would be called in order and allowed three minutes to give their presentation. The Bar Association would be given more time to speak as they have a large Committee report. Mr. Mezey is here to present the Bar Association and Commander Trueb is here to present our side.

Dr. Sanchez thanked the public for attending this public hearing pertaining to the third meeting pertaining to the OCC. "In particular the Commission wishes to thank Commissioner Nelder and Vice President Murphy who have spent a great deal of time in working as part of our task force, in trying to address this critical issue of implementation. I know there has been a great deal of time in working as part of our task force in trying to address this critical issue of implementation. I know there has been a great deal of anxiety at least expressed pertaining to either we are moving to slowly or to quickly. The fact of the matter is this Commission is very concerned about the highest accountable model to insure the Office of Citizen Complaints, is in fact going to be a standard that could be duplicated in any other city in the nation. Because of this we are spending a great deal of time, in assuring maximum input from our San Francisco community prior to implementation of said proposal.

So we do thank you for your patience, imput, and efforts and we do welcome your comments this evening, pertaining to the draft that you have copies of and would welcome any positive or constructive criticism or recommendation pertaining to either the proposal itself, or our announcement pertaining to the Director of Citizens Complaints."

Commissioner Daly "Mr. President, it might be helpful if you would outline the rest of this process. People would understand tonight, that although this is our last public hearing, there will be an additional ten days for additional written input."

Commissioner Sanchez "Basically what will happen here this evening, is that your comments will be taken quite seriously here tonight. They will be incorporated or reviewed in the contex in the materials that you have copies of. And the final draft will be disseminated in both the San Francisco Progress which is the official newspaper of the City and County of San Francisco and also the Sunday edition of the Examiner/Chronicle, which will be disseminated on March 6. The Commission will allow, ten days for written responses to the Commission pertaining to any comments any San Franciscans or others have pertaining to the actual document. Phase two will be, we will also be disseminating at that March 6th, program, the actual job position, conditions of employment, etc., of the Director of the Office of Citizens Complaints, and the deadline for submitting applications will be April 1, 1983. Hopefully within the 3 week period after that, the Commission will move with a great deal of care and comprehensibility to insure that we hire the most qualified person whomever he or she may be, in order to implement this very important program of accountability in the San Francisco Police Department. So that is sort of our time line as far as implementation to this process and we welcome any suggestions this evening, pertaining to disseminating said information.

Commissioner Murphy "After the Commission has selected three or five depending on each person's nomination to the list, it is necessary to have a rundown or a real investigation of that person's past. You'll recall for example somebody on the Moscone Center staff in a very high position had connections with the Maffia. We do have to make an investigation of thier past activities, and so on and that takes about a month. Not so much because of the inspectors part, but because references don't answer. So be sure to get your application in and we'll get to work as fast as we can and then we'll get it in the hands of the people who are making the investigations. You will know when they are making an investigation."

Commissioner Nelder "I'll take recognition of Mr. Gash, who has been very helpful from the legal standpoint, putting the document together, so people will know who he is Mr. President."

Commissioner Sanchez "Mr. Gash would you please stand up, representing our legal department, also Commander Trueb, and Deputy Chief Shannon."

Mr. Mezey "Commissioner's, President Sanchez, as the San Francisco Bar Association President Heart Speigel, appointed a committee of the Bar Association to work with you to help in developing these proposed rules for implementation of the OCC. We submitted some proposed additions and changes to your initial draft, and as you Commissioner Nelder, and Murphy know, we met with them and with Chief Shannon and Commander Trueb, and Mr. Gash, and we had a meeting and when we went over these and has some very constructive back and forth discussion and of the points and this afternoon over the phone we continued those discussions and we have submitted to you a draft which represents the thinking of you and of your staff and of the Bar Association Committee. Some rules which we think would be very effective bringing about effective, efficient and fair implementation of the OCC. So the rules in their present form we think would carry out the will of the people in adopting the Proposition A, and we recommend that you adopt them.

And I think the Commission needs to look at the state law regarding confidentiality of the police officer files and correlate that to these proposed rules.

Ultimately the department does'nt feel theres any real substantiate changes that does'nt need to be made to the proposed rules by the San Francisco Bar Association. Some of the language may have to be corrected that is just a matter of sitting down and working out the particulars. And there still is the ultimate issue as to the confidentiality of the state law.

And I think the Commission needs to look at the state law regarding confidentiality of the police officer files and correlate that to these proposed rules. Besides that the document that has been worked out, is a very good product, and probability should be won, once all these minor changes are incorrporated once you have had an opportunity to review them closely."

THE FOLLOWING PEOPLE WERE THEN GIVEN THE OPPORTUNITY TO SPEAK ON THE ISSUE:

Geneva Everhart remarked on the importance of the OCC program being set up and how important it is to be honest and fair in the position of investigating the officers.

Dana Van Gorder (Supervisor Britt Office), wanted to remind everyone that this is an Office of Citizens Complaints, which is entirely different from a Civilian Reveiw Board. Section 3.2 A, page 2, Director shall prepare a discription of the procedures, which shall be available to the public in the pamphlet form in different languages. Mr. Van Gorder said that he felt that this was extremely important as a common complaint in that the public does not understand what the procedures are. No references about appeal process are available as of yet. He feels that this is a very important information that should be available to the public.

"The Director should publish as thorough a list as possible about the procedures and appeals to the public.

Page 8, section 5.4, the monthly statistics regarding complaints. Very important for public information. Include statistics complaints that have been filed, what the specific disposition of those have been, also what discipline led from those dispositions, so that it is possible to say whether as a result of any of the dispositions that occur that the officer was reprimanded or discharged or whatever action might be taken."

Commissioner Murphy "Do you have any suggestions on exactly what you would like to have written in the pamphlet?"

Dana Van Gorder "I could sit down and write a paragraph and submit it, within the ten days that are required of us.

In terms of the position description for the Director, I think it's a good position description, I'm pleased that the Commission has established a time line in hiring a Director, and I hope that the time line will be adhered to. As the hiring of the Director is very important, I would like a similar time line established to hire the investigators."

Commissioner Murphy reminded Mr. Van Gorder that the director will hire the investigators not the Commission.

Dana Van Gorder, suggested that the Commission set a time line for the Director upon hiring him, to set a time line for hiring investigators.

"I'm pleased that the Bar Association has offered pro bono to provide hearing officers.

I feel this will save on funds and provide more money for hiring more investigators.

On the issue of confidentiality, this is a major issue. State law works to the disadvantage of a complainant in the process of filing a complaint and the investigation and the disposition. I would hope because the Commission would take as liberal a view as possible in terms of accommodating a complainant through the process I think a complainant who finds himself or herself with insufficient information is unable to determine whether or not it is possible to make an appeal, or whether an appeal will actually be worth while.

Maxine Waters is currently introducing legislation to somewhat broaden the language to the particular state laws we are dealing with. Supervisor Britt will be very supportive and will be encouraging the Board of Supervisors to be supportive as well."

Commissioner Murphy "What languages should be included besides Chinese, Spanish, and Tagalog?"

Dana Van Gorder "We will check with his files to see what languages should be considered in the pamphlett. Japanese and Korean should be added."

Commissioner Murphy thought Viteameese should be added also, and she asked Mr. Gash if the Commission should ask the Attorney General or the City Attorney about the confidentiality act.

Mr. Gash "The City Attorney would be the one who could give the information regarding legal opinion on the extent of the confidentality rules of the state law, how it would apply to the rules and how they would be applied to the OCC."

Commissioner Murphy suggested that the City Attorney be contacted as soon as possible regarding the question about the state law and the OCC.

Dr. Sanchez noted that it will be critical for some of the staff hired to be multi-lingual, multi-cultural in their skills. To insure that we do provide that capability, equal access of full comprehensive abject staffing and investigations.

Mr. Mezey "The Bar Association is not in the position to promise to provide pro-bono, hearing officers, but he said they are hoping that we could find enough of them who would be willing to act as hearing officers.

It is an offer to attempt to do that. We think that we could be successful in doing that, after your staff is in place, and you know how the hearing schedule is going to work, then I think we would put out a letter to the members of the Bar Association, to lawyers in the City and ask them if they would be willing to work pro-bono. My personal feeling is we would get a positive response."

Commissioner Murphy "Stated that the Commission is also concerned not just that the people be willing, but that they also know the ropes, so to speak."

Mr. Mezey "The Director would go over the applicants, and choose people that he would feel would suit the position."

Commissioner Murphy "Under the present legislation now, its very simple for a member of the department accused of something, to take it to court, we want to be sure we have a hearing that will be as court proof as we can make it. I can foresee our using professional, possibly state service people on a contract basis for a group of hearings and the Bar Association volunteers for another group of hearings.

The Commission is concerned that only people who have the experience and the qualifications apply as hearing officers."

Mr. Mezey said that their qualifications and experience would be required in order to apply for the position as hearing officer and the Director that is selected for OCC review the applications before any selections are made.

Commissioner Sanchez, thanked Mr. Mezey for the Bar Associations volunteering to help, and noted that in some Cities the lawyers groups will provide discount fees instead of a hundred dollars and hour, or it might be forty dollars an hour, and they have a qualification test, etc.

All of these things still have to be worked out, but basically we will be looking at the whole concept of accountability to be sure the hearing officers defifinitely do reflect the diversity, the uniqueness of the people of San Francisco to insure the highest degree of acountability.

Catherine Cusic (Harvey Milk Club) "Regarding the activities of the Police, both those activities that we feel are improper and those activities we would like to see them perform a little more insidiously.

The Director, and the staff of OCC will have to be people who are sensitive to minority needs and to the needs of all the people of S.F. The voters of S.F. made it very clear, that there is a concern, the Police force of S.F. professional police, be supported and those who are not professional, be perhaps deleted. There has been a clear mandate from the voters of S.F. that the Commission will take a very serious look at the applicants that they will take a strong and forceful look at Police activity. The other issue in the final analysis what will happen to the disposition of these hearing is with the Chief of Police, and some of us would see that as a possible weakness in this situation, but that's how it is, that's how it's written and that's the way the people voted. If that turns out not be satisfactory that the disposition hearing is down by the Chief of Police, we certainly hope that the Commission will be the first to say perhaps this isn't adequate perhaps we need to find some new ways of disposing of these cases, I would just like to bring this to your attention at this point."

Commissioner Murphy "The final disposition is still in the Commission, the hearing can be appealed to the Commission. If the case is serious and requires more than a ten day suspension it has to come to the Commission."

Dr. Sanchez "Also our doctorate of statue indicates that per rules of the document if you have any written comments please forward those to us before we move ahead. The Commission would still accept any comments on the document in writing until March 16."

Randy Taylor "I'm a former member of S.F.P.D. as of last November, and I voted for proposition A. Good police officer's have nothing to fear from Civilian review, they welcome it, that is why I'm here today to ask you to implement this as fast as possible because it is needed. I can testify of the arbitrariness of the investigations of the Dept. Having been arbitrarily terminated, but I did'nt get the option of coming before this Commission, I was terminated by the Chief, and the same week I was terminated two of my classmates who were passed by field training program, were brought up on criminal charges. Another member that was drinking on the job at the Police Range, was investigated, but that was swept under the carpet, because his Uncle was an inspector. But that's another story. The citizen's voted for this, and they need it, like I say good police officer's do not fear something like this. They more than anybody else, want the bad officers weeded out, because they give them all a bad name, and I think that the City and County of S.F. deserves that, this is what makes our country different, this is why we'er not like Poland. This Commission, since its holding extra hearings on misconduct knows better than anybody else the problems that are in this department. And part of the problem is in the training program, misconduct is encouraged, so I hope that you will implement this as soon as possible."

Commissioner Nelder "In what way Mr. Taylor is misconduct encouraged? Can you explain that?"

Mr. Taylor "You want some specifics?"

Commissioner Nelder "Yes Sir."

Randy Taylor "It's true the other night I was before the Civil Service Commission, and I was asked why after I was in Viet Nam did I want to carry a gun or anything, I said I wanted to be a Police Officer because I wanted to serve, I got a thrill out of finding a lost kid, the other thing besides playing a cowboy, but there is so much emphasis on agressiveness, that's why women and minorities are discriminated in the field training program. It's unofficially told in the academy when you get in the field training program if you want to get points with the FTO beatup a prisioner. That's why I think a good example is you seen a couple a years ago a couple of chinese officers kidnapped a Chinese man in Chinatown, it's peer presure, an instructor at the range I'll never be able to prove it, he'll deny it, it was told in a closed classroom, we were told if you ever shoot somebody and there's no witness around before they come around finish him off.

It's less paper work. less problems. You look at my grade reports, in black and white you can see some of the things I was faulted for. Self initiated activity, even though I made more arrests, I would say more than any police man in this City while I was there. I made good arrests. Randy didn't have an SI activities, Self Initiative Activity tonight, and then he goes on to say what some of the activities was, NMA, that's Negro Male Adults, loitering on the street, is loitering against the law anymore? NMA, blocking the sidewalk, I found a problem, I had no problem going after the people that were breaking the law, I had a problem going after people "because of their race, their color, or their economic situation or their part of town they live in."

Dr. Sanchez "Therefore you are saying this proposal which you are discussing this evening you feel that this has the basis to be used as a standard, hopefully, for accountability in the day to day operations of law enforcement services here in San Francisco. It has a possiblity of being such a model."

Commissioner Murphy "One of the problems with any governmental situation, is that first you have to have a salary, you have to offer somebody and also a position statement of what their position is, before you can hire them. And you can't get a salary before you get your supplemental budget proposal passed by the Board of Supervisors. Which was just passed a couple a weeks ago. There's no way that we could have hired a Director immediately upon passage of the proposition. I really think that we have gone as fast as we could. There has been a lot of flack about how slow we've been, and complaints of our stalling on the job. Which isn't true, we started right away, to get the budget in, know what we could pay and have some money to pay with. And also had to get what duties were to be and we had to get a variety of other things done before we could even begin to recruit and hire someone. It takes time unfortunately."

Randy Taylor "I am not anti-Police, just yesterday I had somebody ask me, they had an unfortunate run in, they had their car towed and they went down to Mission Station to get a release, and they were a victim of some very abusive behavior, and they were afraid to go to internal affairs and complain, I encouraged them, I said go."

Commissioner Murphy "I just want everyone to know it isn't as easy as it looks to get something started."

Commissioner Nelder, asked Randy Taylor if he had any objections about going to Internal Affairs about what he heard, and what he thinks is wrong with what he thinks is right.

Randy Taylor "Not right off hand, I would have to check with my attorney first."

Commissioner Nelder "What I'm saying is in an constructive way you said a few things that would interest me, and we're all interested in making the department better, I think that we have to be honest with each other, if we're not honest with each other at the outset we'll never get this accomplished. But you have had the experience you have obviously said somethings which hurt you to speak, and I think that it would be constructive and for Commander Trueb to have a discussion with Mr. Taylor, we would like to get a report back on it."

Jayson Wechter "I'm a member of the California Association Licensed Investigators and the National Association of Legal Investigators, and I would like to bring this position discription to the attention of the members of those organizations because there's very manyhighly qualified members. I do have one question about the minimum qualifications, it talks about at least two years experience conducting investigations and then gives examples of investigations for governmental agencies, does that mean the experience must be from former government agencies?"

Commissioner Murphy "No, that is just an example."

Jayson Wechter "Regarding whatever position discription you draw up, for the investigators themselves, I've been a Private Investigator for four years, before that I was a journalist. Generally govenmental investigators are drawn from a background of criminal, police, etc. I myself come from a journalist background, the skills are very similar in that you are dealing with the public, interviewing and report writing obviously because of the setup and writing of the reports will be very important. I suggest that you keep that in mind when you do write the position discription for the investigators. S.F. has a very large population of skilled journalist who are out of work. Very community conscious, very intelligent, and whose skills are very transferable into this area."

Commissioner Murphy "could I ask you something? Would you mind writing for us a draft of what you think would be good to have in that definition and the qualifications for an investigator, and turn it into the office here?"

Jayson Wechter "Absolutely."

Commissioner Murphy "Wonderful."

Jayson Wechter "One of the questions I have, is the last signer, which has demonstrated awareness to the multi ethnic, racial set, because I know I'll be questioned about that, be the members of the organizations I belong to, and I just wanted to get some sense about that."

Commissioner Murphy "You mean that they should have demonstrated. We wanted people for example, a good many people that have worked in the community, worked in Hunters Point, or with some Latino group or something of that nature. I immagine that it's in their whole life experience. If they are of Spanish American, or Chicano, or Black, or something like that, that would be proof that they knew something about it at least. I think that's what we mean by demonstrated.

Jayson Wecther "Any good investigator in this City has dealt with all the groups in this City and has become sympathetic and sensitive to their various needs and cultures.

Commissioner Murphy "Yes, but we want to say that they are. And show how they have, and not just say I like all black people and that's it."

Jayson Wechter "Regarding the outreach of the different groups though I'm not Vietnamese I just completed an article for the State of California Bar Association publication on legal problems of Vietnamese refugees of California, and they perhaps more than other groups have a great deal of problems with the legal systems because they were so terrified of it back home, the police force in South Viet Nam was so brutal and so corrupt they assume the police are automatically the same, they don't understand bail for instance, they assume if someone is out on bail that they have paid a bribe, and therefore they are afraid to testify against them. So I think you should make particualr effort in an outreach to the Vietnamese community.

Because it will further assure them that the American system is much different, that they have much greater rights here than in Viet Nam, and that the Police will protect them rather than victimize them. And they need a good deal of reassurance, because they spend most of their lives under a brutal regimen. And we have to convince them that is not the case here."

Roberto Y. Hernandez "I am very critical of the fact that it has taken too long to get this implemented, and I know that how bureaucratical the City is, but that's still not an excuse, because I know that when this Police Commission and the Chief, or when the Mayor has requested more money for more Police Officers or guns, or more cars, that's an immediate issue that is dealt with by the Board of Supervisors and there's been emergency meetings held all the way around the City. It seems then the City can pull together right away to get those guns and more Police Officers on the force. I'm not satisfied with what I have heard today, as to why this has not been implemented with more speediness.

I understand that, and correct me if I'm wrong, "this Commission did not support the OCC."

Commissioner Murphy "That is not correct."

Commissioner Sanchez "The Commission as a body did not. There were individual Commissioner's that did."

Roberto Hernandez "I hope that those who did not vote against it respect the wishes of the voters of S.F., I am concerned about who gets hired. I'm going to call it like it is. It is my understanding that within, rumors or facts whatever you want to call it, I'm going to view it as a fact, that there are already individuals who work in the department that are being considered. I know what your saying, you say no, but you got to listen to me that it's a known fact, that there are members who work in the Police Department, police officers, investigators, or attorneys that are being considered for this position, I feel that we cannot afford to have anybody who is related in any way or form with S.F.P.D. getting hired."

Also that the Director or a designee be under 24 hours call, we feel particulary in the Mission Community that this is very important, and we feel that we need to know how this is going to work, we need to get a little more clearer understanding, on how this is going to work because we have had in the past circumstances where we had the, and Dr. Sanchez can attest to that, when I've had to call him at 2:00 o'clock in the morning, when we've had the tactical squad line up and literally march in formation down Mission Street or Army Street, people get scared. I've been scared for my life and for the people in my community, to watch militants march down our street at one or two o'clock in the morning. And we definitely want more details in terms of how this is going to work out, because we know we'er going to have to call whoever gets hired.

The fifth point I'd like to make is that if the police department is sincere about this program, I feel that the procedures should be at each station. Each station should have posted that the procedures that one could follow in case one has a complaint against one particular officer. Not only should it be posted, but the information should be available on hand for individuals who might need the information.

I wnat to direct this to Commissioner Nelder, in regards to the training, I agree with the Officer, and I'm glad that an Officer's bringing that up, because that's been precisely our point of view, we feel that there's too much agressiveness being taught in the training and not enough assertiveness taught to officers, there's not enough psychological taught in the department, and there's not any kind of techinque in terms of how to meditate the situation of versus being forceful, and this is a serious problem, because we have participated in the training, the last week of the training the Police Officers get, they go out to the different communities of S.F.

Whether it be the Latin, Black, Asian, or Gay community, they come out, and they listen to what our concerns are and problems are, and a lot of the officers that have participated in that training have literally stated that they do not have the training to deal with meditating the problem, or how to deal with an individual, psychologically, or any kind of way, and basically the majority, the trained, I would say 90 to 95% of the training that they get is military training, and we're dealing with human people, we're not in Viet Nam,this is not world war two, this is not world war one, we're human beings on the street, that got social economical wars going on, within themselves and within the system. And I think that if you want to talk to them about that, I'll be happy to talk more to your about that, and let you even talk to some officers within the department that would be willing to talk about the problem that exists within the academy.

Internal Bureau of Affairs regarding individuals who make complaints are out. They are always out to look at how credible of an indiviual are you? I don't care whether you are an alcholic or a drug addict, or a bank robber or an exconvict, I don't care who you are, or how credible you are, the point is that you have been subjected to being beat up by a police officer. It is not how credible you are."

Commissioner Nelder, "I think though Mr. Hernandez there should be some response I think your information is wrong on anybody that is in this department, either a sworn officer or a non sworn officer, that is being considered for this position, and I say unequivocaley here and now "there is'nt any Commissioner here that has a set opinion on who that Director might be, as God is my judge I haven't the slighest idea.

There was an indication that came in this way, that appeared to be a staff member, I have to tell you that members of this Commission and certainly myself made darn sure that was'nt going to happen. So maybe we're talking about the same thing."

Commissioner Murphy "Also I might add that knowing no one from this department could possibly be hired because the Charter Amendement precludes it, completely, it's right there.

Dr. Sanchez "I would just like to underline one of the suggestions and that is perhaps somewhere in here we should consider, or at least disseminated to the public about a 24 hour network. The Police Dept. does'nt work 8 to 5, Monday thru Friday, we're really talking about an operation that is 24 hours a day, seven days a week. And I really think that this should be addressed and underlined."

Commander Trueb "Part of the process of the Rule, is that the Director be that we made provision that the Director, and this is not finalized of course, but the Director be on call 24 hours a day just for this purpose within his discretion and discussion with the complainant he would be able to assign or get a hold of an investigator immediately at any time.

Commissioner Murphy "And if he can't find one he goes himself."

Commander Trueb "Yes and I doubt if that would happen more than once."

Julis Zamacona "I have been with Police Community Relations since 1962, and I understand Robert, because I work with him in the Mission, things do happen, it happens because it's not only the police willing to take care of this, its us also because we did'nt have the opportunity to get in with you fellas and talk it over.

I'm going in to the community and get a group of people so we can work with you. We're going to have a meeting on the 29th.

In the Mission you have a lot of Latinos, put more Latino policemen there.

Pete Maloney of Ingleside is working with me and Art Tapia. Sometime when I call up the station, my community relation man is not there, then why in the heck is'nt there someone else to take his place. If you are a Policeman you are supposed to have communication.

My conclusion, I would like to see what you people can do to help not only me but the people in the outer Mission, we all need help."

Steve Ow Yang "I'm an attorney and also a represenative of the Chinese American Democratic Club. I would first like to start by saying dispite my lawyerly demeanor I have been at the wrong end of the Police night stick at least once. Simply for excercising my First Amendment free speech rights. I have a question about the Rules and that's on page 8.

It seems to me a little incongruent, the findings of fact of the Director seem to be set and become final."

Commissioner Sanchez "Page 8 subset 5.2?"

Steve Ow Yang "Maybe it's a defect in proposition A, but it seems to me that its strange that the findings of fact become final, and yet the disposition or the recommendation is discretionary, it seems that you have a final finding and yet the result are of the action that follows it is not finalized and is not mandated. I don't know if that's a problem with Prop. A or what, I just wanted to raise that."

Commissioner Sanchez "Commander Trueb please respond to Mr. Ow Yang's question."

Commander Trueb "Basically what happened is that this section amended one section in the charter, left untouched said several other sections in the charter which provide for the flow of the authority and then Proposition A amended a section which did not remove the discretion from the Chief of Police, its inserted a process and the output of that process then goes to the Chief of Police and they have no authority to usurp that authority of the Chief in another section or any other section it is a fact finding process and it is sent to the Chief. The discretion has to do with whether or not the Chief will hear the case on his own up the the limits of his authority or if he will refer it to the Police Commission, or in fact whether he'll send it back for further investigation but the process is written that way because the Charter provides for it.

Mr. Ow Yang "It seems that if problems arise because of this it may require going back and taking a look at this whole concept. My second point is on the hiring of the Director. Obviously it's going to be crucial and important to this Director, you have got to find someone who is sensitive to the different groups out there and is willing to acknowledge that there are these misconduct problems, and is willing to work within the system and yet be independent enough to make the real strong recommendations to you.

Commissioner Sanchez, thanked the Public, and the many people who spent a great many hours on this and asked for their help in disseminating information to organizations and groups or encourage candidates to apply for this position. "There is no candidate that this Commission has recognized as a "top contender. This is an open position and we are looking for quality and accountability and believe me the Commission will do everything to insure that San Francisco here and in the future generations will show that the OCC can work."

Commissioner Murphy "We are advertising the job discription in a much better form than we have tonight. The information will be dissiminated far and wide as we can possibly do so, besides the ad in the paper.

THE COMMISSION THEN ADJOURNED ITS MEETING AT 6:32 p.m.

WILLIE E. FRAZIER
SECRETARY

DOCUMENTS DEPT.

JUL 8 1983

SAN FRANCISCO
PUBLIC LIBRARY

Minutes

2 MARCH 1983 EXECUTIVE SESSION

The Police Commission of the City and and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, March 2, 1983 at 1700 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

1. Attorney - Client Conference.

No vote was taken.

2 MARCH 1983 REGUALR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 2, 1983 at 1730 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

Request of the Chief of Police that the Police Commission adopt a Resolution approving the use of controlled expansion ammunition by members of the San Francisco Police Department issued service revolvers.

RESOLUTION NO. 243-83.

DEPARTMENT ISSUED AMMUNITION - APPROVED.

RESOLVED, that the use of controlled expansion ammunition by members of the San Francisco Police Department in department issued service revolvers is hereby adopted.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

REQUEST OF INSPECTOR THEODORE C. PECK, INVESTIGATIONS BUREAU, FOR A RECOMMENDATION OF INDUSTRIAL DISABILITY RETIREMENT. (CONTINUED FROM MEETING OF FEBRUARY 16, 1973.)

RESOLUTION NO. 244-83.

DECISION - IN THE HEARING OF THE REQUEST OF INSPECTOR THEODORE C. PECK, INVESTIGATIONS BUREAU, FOR RECOMMENDATION FOR DISABILITY RETIREMENT.

WHEREAS, Inspector Theodore C. Peck in an Intra-Department Memorandum requested to be retired by the Police Commission pursuant to Commission Resolution 979-82, November 24, 1982; and

WHEREAS, the Police Commission placed the matter on Commission calendar on January 26, 1983 for consideration and future hearing and thereafter scheduled the matter for hearing on Wednesday, February 9, 1983; and

WHEREAS, a hearing on the said matter was had before the Police Commission on Wednesday, February 9, 1983, and that on Wednesday, February 9, 1983 the Police Commission took the matter under submission and stated it would render a decision at a later date; and

WHEREAS, the decision on Inspector Peck's hearing was called on this date, Wednesday, March 2, 1983; and

WHEREAS, the Police Commission finds that the evidence submitted regarding Inspector Theodore C. Peck's request to be retired pursuant to Commission Resolution 979-82, November 24, 1982 was not sufficient on its face to grant his request; therefore be it

RESOLVED, that it is the order of the Police Commission that Inspector Theodore C. Peck, Investigations Bureau, has not submitted sufficient evidence to justify his retirement pursuant to Commission Resolution 979-82; and be it further

RESOLVED, that is is the order of the Police Commission that Inspector Theodore C. Peck, Investigations Bureau, be returned to full police duties commencing Wednesday, March 2, 1983.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED.

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public street, be, and the same are hereby approved:

300 CHURCH STREET - CHURCH STREET MARKET - GRANTED.

At 300 Church Street, install 20' SPECIAL TRUCK LOADING ZONE extending from 30' north of the building line.

480 WINSTON DRIVE - CALIFORNIA STATE LIBRARY - GRANTED.

(a) At 480 Winston Drive, install 22' Yellow zone extending from 28' to 50' east of the west property line.

(b) At 480 Winston Drive, install 22' White zone extending from 115' to 132' east of the west property line.

302 FILLMORE STREET - UNION SPRINGS MISSIONARY BAPTIST CHURCH - GRANTED.

At 302 Fillmore Street, install 22' White zone extending from the east property line 22' west.

529 - 31 SUTTER STREET - KIMOCHI HOME - GRANTED.

At 1529-31 Sutter Street, install 22' White zone, extending from 12' to 34' east of the west bldg. line.

3131 WEBSTER STREET- SAHI RESTAURANT - GRANTED.

At 3131 Webster Street, install 30' White zone extending from the south property line 30' north.

3801 SACRAMENTO STREET - CHILDRENS HOSPITAL - GRANTED.

(a) At 3801 Sacramento Street, install 44' Blue zone from 9' to 53' west of east property line.

(b) At 3801 Sacramento Street, install 44' White zone, from 53' to 97' west of east property line.

1398 POWELL STREET - S.F.P.D. - REVOKED.

At 1398 Powell Street, revoke existing 27' Yellow zone, extending from 8' to 34' south of Broadway.

523 GREEN STREET - S.F.P.D. - REVOKED.

At 523 Green Street, revoke existing 36' Yellow zone, extending from 14' to 50' west of the east property line.

333 11th STREET - S.F.P.D. - REVOKED.

At 333 11th Street, revoke existing 36' Yellow zone, extending from 6' to 43' north of the south property line.

2523 OCEAN AVENUE - S.F.P.D. - REVOKED.

At 2528 Ocean Avenue, existing 27' Yellow zone, extending from 45' to 72' north of Ocean Avenue.

2566 CALIFORNIA STREET - S.F.P.D. - REVOKED.

At 2566 California Street, revoke existing 40' Green zone, extending from 3' to 43' east of the west line.

314 CHURCH STREET - S.F.P.D. - REVOKED.

At 314 Church Street, revoke existing 24' Green zone, extending from 24' north of south bldg. line.

600 FILLMORE STREET - S.F.P.D. - REVOKED.

At 600 Fillmore Street, revoke existing 22' of 44' White zone, extending from 28' to 50' north of the south property line to be revoked.

1595 POLK STREET - S.F.P.D. - REVOKED.

At 1595 Polk Street, revoke existing 22' White zone, extending from 14' south of Sacramento to 36' south of Sacramento.

REVOKED.

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 234 feet of red, green and yellow, zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 239-83.

ANGELINA VASQUEZ.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Angelina Vasquez in the sum of $47,500.00 in Superior Court Action No. 791-925 entitled "Angelina Vasquez vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 5, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 240-83.

CHRISTINE L. CECCHETTINI.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Christine L. Cecchettini in the sum of $8,000.00 in Municipal Court Action No. 828-684 entitled "Christine L. Cecchettini vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 9, 1981

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 242-83.

GRACE MACMILLAN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Grace MacMillan against the City and County of San Francisco in the sum of $60.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 12, 1981

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 241-83.

WARREN & BIANCA HIRSCH.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Warren & Bianca Hirsch against the City and County of San Francisco in the sum of $67.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 1, 1981

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 238-83.

ALL CARS TIRE SERVICE AKA: BILL WREN'S SHELL.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of All Cars Tire Service aka Bill Wren's Shell in the sum of $126.00 in Small Claims Court Action No. 408-090, entitled "All Cars Tire Service aka Bill Wren's Shell vs. City and County of San Francisco, et al.," as the result of damages sustained be, and the same is hereby approved.

Date of Incident: April 6, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 233-83.

AUTHORIZING ATTENDANCE OF SERGEANT GREGORY CASH, TACTICAL DIVISION AT THE EXPLOSIVE ORDINANCE DISPOSAL REFRESHER TRAINING COURSE AT HUNTSVILLE ALABAMA FROM MARCH 6, 1983 TO MARCH 11, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Gregory Cash, Tactical Division be authorized to attend the Explosive Ordinance Disposal Refresher Training Course, conducted by the Federal Bureau of Investigation at Redstone Arsenal, Huntsville, Alabama from March 6, to March 11, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sgt. Gregory Cash in a sum not to exceed $1, 020.00 for subsistence and travel will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

POLICE COMMISSION REPORT.

Dr. Sanchez commented on the fact that there have been quite a few complaints from Senior Citizens and the handicapped, that it is a great hazard for them that people are parking their cars on the sidewalks, and they would like this infraction to be enforced more.

PUBLIC HEARING RELATIVE TO PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF LIMOUSINE PERMITS.

The following people spoke in favor on the issue of Limousine Permits.

1. Charles W. Pearce — Crown Limo
2. Milton W. Henke, Jr. — Squire Limo
3. Ben Ishizaki — Ishi Limo

Guy Levinsky spoke about the problem Prop. K presented to him, as it made it illegal for him to sell his license, as he no longer uses it and feels as though he has taken a loss.

The following people spoke against the issue of Limousine Permits.

1. James E. Steel — Yellow Cab Co-op.

The Commissioners made a motion to table the item of Limousine Permits.

PUBLIC HEARING RELATIVE TO PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF SIGHTSEEING BUS PERMITS. APPLICANTS ARE AS FOLLOWS:

1. Roy L. Privett
2. Robert Clutton
3. Dennis P. Felso
4. Arnold S. Gredley
5. Thomas E. Eichler
6. Thomas J. Collins
7. Ariel A. Sharabi

The following people spoke in favor on the issue of Sightseeing Bus Permits.

1. Thomas Collin

The following people spoke against the issue of Sightseeing Bus Permits.

1.	Robert K. Werbe	The Gray Line
2.	John P. Sigman	The Gray Line
3.	Tony Ruiz	O'Connors - Sightseeing

The Commissioners made a motion to table the item of Sightseeing Bus Permits.

CHIEF'S REPORT TO THE POLICE COMMISSION.

The Chief had no report for the Commission that night.

THE COMMISSION THEN ADJOURNED ITS MEETING AT 8:40 p.m.

WILLIE E. FRAZIER
SECRETARY

8 MARCH 1983 SPECIAL MEETING

The Police Commission did not hold the meeting scheduled for this date for lack of a quorum.

WILLIE E. FRAZIER
SECRETARY

DOCUMENTS DEPT.
JUL 12 1983
SAN FRANCISCO
PUBLIC LIBRARY

9 MARCH 1983 REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 9, 1983 at 1730 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

RESOLUTION NO. 250-83.

DAVID GREEN WALD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Greenwald against the City and County of San Francisco in the sum of $676.28 for damages sustained, be, and the same is hereby approved.

Date of Incident: December 8, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 253-83.

HERTA DAVIS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Herta Davis against the City and County of San Francisco in the sum of $800.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 9, 19833

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 254-83.

BRUCE WILLIAMS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bruce Williams against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 6, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 255-83.

LEON CHO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leon Cho against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 30, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 256-83.

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 2, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 257-83.

ROBERT IMHOFF.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Imhoff against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 16, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 258-83.

SHARON McCORMACK.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sharon McCormack against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 30, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 259-83.

TINA WILLIAMS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tina Williams against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 17, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 260-83.

THERESE SANDOVAL.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Therese Sandoval against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 1, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 261-83.

DANIEL P. LYNCH.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel P. Lynch against the City and County of San Francisco in the sum of $64.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 24, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 262-83.

HERMAN BLANKENBERG.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Herman Blankenberg against the City and County of San Francisco in the sum of $36.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 19, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 263-83.

THEODORE M. OYERSTREET.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Theodore M. Oyerstreet against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 21, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 264-83.

MS. SHAN MAGNUSON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ms. Shan Magnuson against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 27, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 265-83.

JOHN MAGNUSON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Magnuson against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 15, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 266-83.

ROBERT PITNEY.

RESOLVED, that the recommendation of the City Attorney for settelment of the claim of Robert Pitney against the City and County of San Francisco in the sum of $46.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 13, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 267-83.

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of $27.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 13, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 268-83.

MICHAEL J. BARNELL.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael J. Barnell against the City and County of San Francisco in the sum of $56.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 30, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 269-83.

JANET P. EGAN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the claim of Janet P. Egan against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 270-83.

LARRY MADSEN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry Madsen against the City and County of San Francisco in the sum of $86.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 1, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 271-83.

CAROLE C. DEEB.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carole C. Deeb against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 1, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 272-83.

ABC TOWING & STORAGE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing and Storage Co. against the City and County of San Francisco in the sum of $68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 12, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 273-83.

ABC TOWING & STORAGE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage against the City and County of San Francisco in the sum of $77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 6, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 274-83.

ABC TOWING & STORAGE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage against the City and County of San Francisco in the sum of $68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 24, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 275-83.

CYNDIA SIEDENTOP.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cyndia Siedentop against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 28, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 276-83.

EDITH F. BRAZELTON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edith F. Brazelton against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 13, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 277-83.

HELEN MANDEVILLE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Helen Mandeville against the City and County of San Francisco in the sum of$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 13, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED.

RESOLUTION NO. 278-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Insp. Michael Trueman) $360.00 (Economic Crime
(Training Course
(Sacramento, Ca.
(02/14/83-02/18/83

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 279-83.

RESOLVED, that the traveling Expense Vouchers submitted by the following named members of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Officer Lawrence Ryan) $277.00 (Economic Crime
Officer Roy Sullivan) $277.00 (Training Course
(Sacramento, Ca.
(02/14/02-02/18/83

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 280-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sgt. Kenneth Davis) $75.00 (Field Training
(Officer Course
(Santa Cruz, Ca.
(02/13/83-02/13/83

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 281-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Sgt./Insp. Richard Estrada) $375.00 (Criminal
(Investigation
(Training Course
(Sacramento, Ca.
(02/14/83-02/18/83

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 282-83.

AUTHORIZING ATTENDANCE OF CAPTAIN VICTOR MACIA, MISSION STATION AT THE FEDERAL BUREAU OF INVESTIGATION NATIONAL ACADEMY IN QUANTICO, VIRGINIA FROM APRIL 10 TO JUNE 24, 1983.

RESOLVED, that the recommendation of the Chief of Police that Captain Victor Macia, Mission Station, be authorized to attend the Federal Bureau of Investigation National Academy in Quantico, Virginia from April 10th to June 24, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Captain Macia, Mission Station, in a sum not to exceed $800.00 will be defrayed from the San Francisco Police Department Training Fund for the purchase of required training materials and to supplement the minimal allowance for subsistence.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 283-83.

AUTHORIZING ATTENDANCE OF SERGEANT JAMES KINAVEY AND POLICE OFFICER BRUCE CRAYTON, CRIMINALISTICS DIVISION, TO ATTEND AN ADVANCED FINGERPRINT SCHOOL AT GILROY, CALIFORNIA FROM APRIL 18 TO APRIL 22, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sergeant James Kinavey and Officer Bruce Caryton, Criminalistics Division, be authorized to attend an Advanced Fingerprint School conducted by the Federal Bureau of Investigation and Central Coast Counties Police Academy in Gilroy, California from April 18 to April 22, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by the above named members of the Police Department in a sum not to exceed $350.50 each for subsistence and travel are reimbursable by P.O.S.T.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 249-83.

AUTHORIZING ATTENDMACE OF POLICE OFFICERS LUIS A. DURAN AND EDBERT DARE, COMMUNITY RELATIONS UNIT, TO ATTEND A CONFLICT RESOLUTION TRAINING COURSE IN GALT, CALIFORNIA FROM MARCH 14, 1983 TO MARCH 18, 1983.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Luis Duran and Edbert Dare, Community Relations Unit, be authorized to attend a Conflict Resolution Training Course conducted by the Department of Corrections, Parole Division, in Galt, California from March 14,to March 18, 1983 be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above named members of the Department in a sum not to exceed $360.00 each for subsistence and travel will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

POLICE COMMISSION REPORT.

Commissioner Murphy addressed the Commission on the matter of the new police bullets. She was distressed about the letters by the public and articles in the newspapers regarding the safety of the bullets. "I would never have voted for the new bullets if I thought that they were dangerous."

Commissioner Murphy suggested to the Chief that the department should send literature to the public to explain the reasons for selecting this particular bullet.

The Chief replied that they would contact the newspapers and attempt to attain the address's of these citizens, and send them a package explaining the Police Department's position for requesting the usage of this particular bullet.

Commissioner Sanchez commented that over 60 Law Enforcement Agencies in the State of California are using this bullet, including a number of State Colleges, and Hospital and Institutional Police, and this information should be included.

Commissioner Sanchez also wanted to compliment the Police Department for performing an outstanding demonstration of the highest degree of professionalism during the recent visit of the Queen of England and the President of the United States.

He suggested that the Chief send a bulletin on behalf of the Police Commission to all men and women within the Department for a job well done.

Commissioner Murphy wanted to know if the $7,000 training situation that the S.F.P.D. went through on crowd control was helpful.

The Chief replied that this training was indeed very useful in controlling and recognizing the situations of crowd control. Because of this training the Officers were able to provide the information as to the mood of the crowd, and therefore we knew if we had to move to disperse the crowd and how many officers would be needed to do so.

Commissioner Nelder, commented on the crime in Golden Gate Park, the Richmond and Taraval District. He would like more motorcycle units to patrol this area to insure the Public that the Park and it's surrounding district will be a safe area for the law abiding public to enjoy.

Commissioner Sanchez said that this weekend official notification of the S.F. Proposed Rules and Regulations will be in the two major S.F. papers, including the job notification for the Director of O.C.C.

Also that the job discription will be disseminated through other newspapers, such as the Black, Hispanic, Gay, and Asian, and other minority newspapers, thoughout the City and County of S.F. to insure the highest degree of dissemination.

CHIEF'S REPORT TO THE POLICE COMMISSION.

The Chief had no report at this time.

RESOLUTION NO. 283-83.

HEARING OF POLICE OFFICER MICHAEL L. HUGHES, MUNI TRANSIT DIVISION - CONTINUED FROM MEETING OF WEDNESDAY, JANUARY 5, 1983.

WHEREAS, the hearing of Police Officer Michael L. Hughes, MUNI Transit Division, was called, it having been set for this date; and

WHEREAS, it has been requested that the matter be continued to March 16, 1983, therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael L. Hughes, MUNI Transit Division, is continued to Wednesday, March 16, 1983, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

HEARING OF POLICE OFFICER GEORGE GRANT, TARAVAL STATION.

The hearing of Police Officer George Grant, Taraval Station, was called it having been set for this date, Police Officer George Grant was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Receiving presents for police service (violation of Rule 2.145 of the Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to prevent crime (violation of Rule 2.01 of the Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 3

Failure to prevent crime (violation of Rule 2.01 of the Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 4

Failure to submit a written report of a crime to his commanding officer (violation of Rule 2.61 of the Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 5

Engaging in conduct which tends to subvert the good order, efficiency, or discipline of the department (violation of Rule 2.13 of the Rule and Procedures of the San Francisco Police Department).

In a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Police Officer George Grant appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the San Francisco Police Department.

An opening statement was made by Mr. Stephen Bruce Bley, attorney for Officer Grant, requesting that an amendment be made to Specification No. 3 and Specification No. 5, after which he entered on behalf of Police Officer George Grant a plea of quilty to said specifications as amended and to the facts contained therein.

No opening statement was made by Attorney Jerry Akins.

The Police Commission by unanimous vote accepted Officer Grant's plea of quilty to Specifications 1 through 5 and to the facts contained therein.

The following named witness appeared for the defense, was duly sworn and testified:

Police Officer George Grant
Taraval Station

At the close of Officer Grant's testimony Chief of Police Cornelius P. Murphy asked for a one-weeks' continuance to review Officer Grant's personnel file so that he may thereafter submit a recommendation to the Commission concerning Officer Grant's penalty.

The Police Commission took the matter under submission and adjourned at 1915 hours, continuing Officer Grant's hearing to Wednesday, March 16, 1983 at 5:30 p.m. In Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 284-83.

SETTING OF DATE FOR HEARING OF SERGEANT ROBERT DILLON, TARAVAL STATION.

WHEREAS, the date to be set for the disciplinary hearing of Sergeant Robert Dillon, Taraval Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Ephraim Margolin, attorney for Sergeant Dillon, that the date for the setting of the hearing before the Police Commission be set for April 20, 1983; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Sergeant Robert Dillon, Taraval Station is set for Wednesday, April 20, 1983 at 5:00 p.m. in room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

COMMUNICATION RECEIVED FROM THE RETIREMENT BOARD OFFICIALLY NOTIFYING THE POLICE COMMISSION OF THE RETIREMENT OF THE FOLLOWING NAMED MEMBER OF THE POLICE DEPARTMENT:

Police Officer Robert M. Cook, Record Room, for service, effective February 8, 1983.

THE COMMISSION THEN ADJOURNED ITS MEETING AT 7:15 p.m.

WILLIE E. FRAZIER
SECRETARY

10 MARCH 1983 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in Horace Mann School, on Thursday, March 10, 1983 at 1300 hours in special session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

Commissioner Sanchez opened the meeting and said "he had been informed earlier that the various community agencies in the Mission District wanted this meeting cancelled as they felt sufficient notice of the meeting had not been extended to them." "However, he said, sufficient advertisement has been made, as posters were prepared by the Dept's Print Shop, and hand delivered by officers of this district station to the various community agencies, and also by officers from the Community Relations Section of the Dept. It was advertised in the news media and because of this notification the Commission will hold the meeting tonight in compliance with the voluntary settlement of Civil Suit Hernandez vs.. Feinstein.

VOLUNTARY SETTLEMENT OF CIVIL SUIT: HERNANDEZ vs. FEINSTEIN.

Mr. Mario Marino, one of a total of 6 people in attendance requested to speak.

Mr. Mario Marino, "if you really want the full support of the community, we'll set up a meeting and we can work together. As far as the law suit is concerned, the community is supposed to set up the agenda."

"Also the Police Department has had meetings in the Mission before, and the Chief has not attended."

Commissioner Nelder, responded that "the Chief will attend any further meetings, it is useless to have these kind of meetings and not have the Chief attend."

Mr. Mario Marino, "the Memorandum of Understanding was brought up at a meeting at the Mayor's office."

"This Memorandum from the P.O.A. mandates that there would be no transfers in the department, that members assigned to Mission Station cannot be transfered without compliance with the transfer order."

Also, "regarding the Memorandum of Understanding between the P.O.A. and the Police Commission, we would like the Police Commission to investigate it as it is my understanding that it expired 3 years ago."

Chief Shannon, responded by explaining the procedures of the transfer of police officers/ via the Dept's Transfer Policy.

Mario Marino, responded by saying that it was not his understanding that this is the way it worked.

DOCUMENTS DEPT.

AUG 4 1983

SAN FRANCISCO
PUBLIC LIBRARY

"One key element to discuss when we meet the Commander of Mission Station, is the numbers of police that feel it is necessary to use physical force and are thus acting beyond the call of duty.

We want to know what are the limitations, and if the Police Officers bill of rights are applicable."

Commissioner Nelder said he was under the impression Lt. Tim Thorsen was meeting with groups in the Mission to obtain and develop those types of questions and bring them back to the Commission.

Lt. Thorsen, said; "on the 19th of January we announced a meeting and no one showed up."

Mr. Mario Marino said his organization does not believe that the meeting with Police Community Relations does any good as they have no power. "We must meet with the Chief and/or the Police Commission or the Mayor on a monthly basis in order to accomplish what must be done."

Commissioner Sanchez said; "this discussion indicates to me that there should be an agenda of items to be looked into and that even the City Attorney should be involved at that particular point in time."

Commissioner Murphy remarked that she was disturbed as there seems to be a misunderstanding of the lawsuit. As to the number of meetings required, between Mr. Mario Marino's committee and the Police Commission.

"The meetings are to be held twice yearly, not monthly, as an on going business and it is so stated right here in the court order.

Also, there are discrepancies between what Commissioner Nelder had to say and what Mr. Marino said. Clearly these things need to be discussed further as to reach an understanding."

The Commission, after taking Mr. Marino's suggestions under advisement called the next speaker.

Mr. Renaldo Martinez, spoke regarding Police participation in school playground activities.

THE COMMISSION THEN ADJOURNED ITS MEETING AT 6:55 p.m.

Willie E. Frazier

WILLIE E. FRAZIER
SECRETARY

F
45
2
/83

= Minutes

16 MARCH 1983 REGULAR SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 16, 1983 at 1730 hours in regular session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

DOCUMENTS DEPT.
NOV 9 1983
SAN FRANCISCO PUBLIC LIBRARY

Commissioner Sanchez presiding.

RESOLUTION NO. 365-83.

DECISION - HEARING OF POLICE OFFICER GEORGE GRANT, TARAVAL STATION.

WHEREAS, on December 16, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer George Grant as follows:

SPECIFICATION NO. 1

(a) At all times mentioned herein, George Grant, Star No. 1285, was and is a police officer employed by the San Francisco Police Department and assigned to Taraval Station;

(b) As a police officer, Officer Grant (hereinafter, the accused), was and is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department;

(c) At all times herein mentioned, the accused was the permit officer of Taraval Station and was under a duty to investigate applicants for permits within the Taraval Police District;

(d) On or about September 25, 1981, the owner of the Road to Mandalay bar, located at 328 West Portal Avenue in the City and County of San Francisco, applied for a second pinball machine permit;

(e) The Road to Mandalay bar is located in the Taraval Police District;

(f) Prior to the permit hearing on the second pinball machine, the accused went to the Road to Mandalay bar and picked up a package containing seven (7) bottles of liquor;

(g) By receiving the package of liquor from the bar owner, the accused violated Rule 2.145 of the Rules and Procedures of the San Francisco Police Department which states:

"Shall not, under any pretence, receive or share in, for his own benefit or that of others, any present, fee, compensation, gift or emolument of police service additional to his regular pay of compensation, except by permission of the Board."

SPECIFICATION NO. 2

(a) Each any every allegation contained in paragraphs (a) through (f) of Specification No. 1 is hereby incorporated by reference as though each were fully set forth herein;

(b) As a police officer, the accused was and is under a duty to prevent crime and enforce all penal laws and ordinances;

(c) The accused was aware that the liquor was to be delivered to facilitate the issuance of a permit;

(d) By receiving the liquor from the owner of the bar, the accused permitted a violation of Section 63 of the California Penal Code which prohibits asking or receiving of bribes by public officers and employees;

(e) By thus failing to prevent crime, the accused violated Rule 2.01 of the Rules and Procedures of the San Francisco Police Department which states:

"The Police Department and its members shall have the power and it is their duty to:

.1 Prevent Crime
.2 Protect Life and Property
.3 Detect and Arrest Offenders
.4 Preserve the Public Peace
.5 Enforce all Penal Laws and Ordinances

SPECIFICATION NO. 3

(a) Each and every allegation contained in paragraphs (a) through (b) of Specification No. 1 is hereby incorporated by reference as though each were fully set forth herein;

(b) On or about August 4, 1981, the owner of the Eagle Social Club, located at 1722 Taraval Street in the City and County of San Francisco, applied for an additional mechanical amusement device permit;

(c) The Eagle Social Club is located within the Taraval Police District;

(d) The accused assisted the owners in making out the permit application at the Hall of Justice;

(e) After the permit application was completed, an envelope was placed in the folder the accused was carrying;

(f) When the accused asked what the envelope was for, he was told that Sergeant Dillon would know and that the accused should give the envelope to Sergeant Dillon;

(g) When the accused left the counter, the accused opened the envelope and observed that the envelope contained United States currency;

(h) The accused subsequently gave the envelope containing the United States currency to Sergeant Robert Dillon, who was the previous permit officer of Taraval Station and was the accused's superior officer;

(i) The accused knew or should have known that the envelope containing the United States currency was given to him to affect police service;

(j) By receiving the envelope and contents, the accused permitted a violation of Section 68 of the California Penal Code which prohibits asking or receiving of bribes by public officer or employees;

(k) By thus failing to prevent crime, the accused violated Rule 2.01 of the Rules and Procedures of the San Francisco Police Department which states:

"The Police Department and its members shall have the power and it is their duty to:

.1 Prevent Crime
.2 Protect Life and Property
.3 Detect and Arrest Offenders
.4 Preserve the Public Peace
.5 Enforce all Penal Laws and Ordinances.

SPECIFICATION NO. 4

(a) Each and every allegation contained in paragraphs (a) through (g) of Specification No. 1, paragraphs (a) through (d) of Specification No. 2, and paragraphs (a) through (g) of Specification No. 3 are hereby incorporated by reference as though each were fully set forth herein;

(b) The accused was aware of the seriousness of soliciting or accepting a bribe;

(c) The accused failed to submit a written report to his commanding officer regarding the commission of crimes or other matters of a police nature;

(d) By failing to submit a written report to his commanding officer, the accused violated Rule 2.51 of the Rules and Procedures of the San Francisco Police Department which states that a member:

"Shall, whether on or off duty, make a written report to his commanding officer of any crime or other occurences of a police nature, which comes to his attention and which has not already received the attention of some other member."

SPECIFICATION NO. 5

(a) Each and every allegation contained in paragraphs (a) through (h) of Specification No. 1, paragraphs (a) through (e) of Specification No. 2, paragraphs (a) through (h) of Specification No. 3, and paragraphs (a) through (d) of Specification No. 4, are hereby incorporated by reference as though each were fully set forth herein;

(b) By receiving presents consisting of three bottles of liquor for police service, by failing to prevent crime, and by failing to submit a written report to his commanding officer, the accused engaged in conduct which tends to subvert the good order, efficiency, or discipline of the department which constitutes a violation of Rule 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, March 23, 1983 and on Wednesday, March 23, 1983 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer George Grant as contained in Specification No. 1, Rule 2.145, Specification No. 2, Rule 2.01, Specification No. 3, Rule 2.01, Specification No. 4, Rule 2.61 and Specification No. 5, Rule 2.13 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that for said violation Police Officer George Grant shall be suspended for 120 calendar days; and be it further

RESOLVED, that said suspension of 120 calendar days imposed upon Police Officer George Grant shall commence immediately upon his return from disability status to full duty.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

(The entire proceedings were taken in shorthand form by Ms. Bonnie Mortley, CSR).

Recess taken during the hearing of Police Officer George Grant:

1918 hours to 1955 hours.

PUBLIC HEARING RELATIVE TO THE PROPOSAL OF A GAY AWARENESS TRAINING PROGRAM FOR THE SAN FRANCISCO POLICE ACADEMY. (CON'T 90 DAYS.)

Commissioner Daly suggested that for the Stress Reduction program for Police Officer, that the S.F.P.D. attain Police Officers with personal experience of being Gay or having Gay persons in their family for the position of counselors.

Commissioner Murphy, wanted to know if the program still existed where Police Officers in training visit places such as Gay Community bars and restaurants in order to better understand that community and their problems and their life style.

Carole Migden, responded that this program would be separate from the field training.

Commissioner Daly commented that since the S.F.P.D. has so many Gay recruits that it is very important to re'evaluate the Gay Awareness Training Program.

Commissioner Sanchez commented that what we are really asking is that the Department give the Commission a comprehensive update of what in fact has been, or not been effective. Both in reference to training within the academy and that within the field training program.

"This addresses specifically the F.T.O. Program and a number of area's that have to be looked at. At the same time we'er hearing the fact that we do have a lot of fragmentation. This is a unique opportunity to see how effective this program has been. Since this program has not really been updated since 1979."

The matter was continued for 90 days at which time it would again go on Calendar for further discussion and decision.

RESOLUTION NO. 291-83.

JOHN TOBIASSON.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of John Tobiasson in the sum of $2,500.00 in Superior Court Action No. 737-351, entitled "John Tobiasson vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 4, 1977

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 292-83.

MICHAEL MARCANTONIO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Marcantonio against the City and County of San Francisco in the sum of $1,400.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 293-83.

ELIZABETH J. LAIGO & CORNELL AGENCY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth J. Laigo and Cornell Agency against the City and County of San Francisco in the sum of $995.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 15, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 294-83.

JOHN ANTHONY YOUNG.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Anthony Young against the City and County of San Francisco in the sum of $660.16 as the result of damages sustained, be, and the same is hereby approved;

Date of Incident: December 26, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 295-83.

CALIFORNIA STATE AUTO ASSOCIATION & SAYOKO KONO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California State Auto Association and Sayoko Kono against the City and County of San Francisco in the sum of $628.87 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 21, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 296-83.

JOHN R. VELASQUEZ & ANTONIO GARCIA.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John R. Velasquez and Antonio Garcia against the City and County of San Francisco in the sum of $500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 5, 1982 to July 3, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 297-83.

ERIKA SHEN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Erika Shen against the City and County of San Francisco in the sum of $427.73 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 29, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 298-83.

PAUL VARGAS MURGUIA.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Vargas Murguia against the City and County of San Francisco in the sum of $317.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 10, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 299-83.

ROSENBERG CO. & RON'S TV RENTAL.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosenberg Co. & Ron's TV Rental against the City and County of San Francisco in the sum of $196.21 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 13, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 300-83.

ROBERT E. HURNEY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert E. Hurney against the City and County of San Francisco in the sum of $114.40 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 6, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 301-83.

JOANNE SCHWARTZ.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joanne Schwartz against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 302-83.

HIDESHIGE OMORI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hideshige Omori against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 31, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 303-83.

PAMELA ANN GUENTHER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pamela Ann Guenther against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 19, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 304-83.

RICHARD FISCHER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Fischer against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 25, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 305-83.

ROY BULLOCK.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roy Bullock against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 306-83.

NORMA SCROGGIE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Norma Scroggie against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is ehreby approved.

Date of Incident: October 28, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 307-83.

TRINA SEMORILE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Trina Semorile against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 27, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 308-83.

VIRGINIA MARTIN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Virginia Martin against the City and County of San Francisco in the sum of $33.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 22, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 311-83.

AUTHORIZING ATTENDANCE OF CAPTAIN HENRY EIDLER, RECORDS DIVISION, AND CAPTAIN MICHAEL LENNON, PLANNING & RESEARCH DIVISION, TO ATTEND THE IBM LAW ENFORCEMENT EXECUTIVE COMPUTER COURSE IN SAN JOSE, CALIFORNIA FROM APRIL 5, 1983 TO APRIL 8, 1983.

RESOLVED, that the recommendation of the Chief of Police that Captain Henry Eidler, Records Division, and Captain Michael Lennon, Planning & Research Division, be authorized to attend the IBM Law Enforcement Executive Computer Course, conducted by IBM in San Jose, California from April 5 to Arpil 8, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above named members of the Police Department will be paid by IBM at no cost to the San Francisco Police Department.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 310-83.

AUTHORIZING ATTENDANCE OF CAPTAIN HENRY EIDLER, RECORDS DIVISION AND SERGEANT BERT OLSON, COMMUNICATIONS DIVISION, TO ATTEND THE LAW ENFORCEMENT DATA PROCESSING MANAGEMENT SYMPOSIUM IN CLARK COUNTY NEVADA FROM APRIL 18, 1983 TO APRIL 20, 1983.

RESOLVED, that the request of the Chief of Police that Captain Henry Eidler, Records Division, and Sergeant Bert Olson, Communications Division, be authorized to attend the Law Enforcement Data Processing Management Symposium conducted by the International Association of Chiefs of Police in Clark County, Nevada from April 18, 1983 to April 20, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above named members of the Police Department in the sum of $476.00 each of registration fees, subsistence and travel will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder,

RESOLUTION NO. 312-83.

AUTHORIZING ATTENDANCE OF CRIMINALIST MICHAEL TAN, CRIMINALISTICS DIVISION, TO ATTEND THE LABORATORY EXAMINATIONS IN ARSON MATTERS TRAINING COURSE, IN QUANTICO, VIRGINIA FROM MARCH 21 TO MARCH 25, 1983.

RESOLVED, that the recommendation of the Chief of Police that Criminalist Michael Tan, Criminalistics Division, be authorized to attend the Laboratory Examinations in Arson Matters Training Course conducted by the Federal Bureau of Investigation in Quantico Virginia from March 21 to March 25, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that all expenses will be paid by the Federal Bureau of Investigation at no cost to the San Francisco Police Department.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 313-83.

AUTHORIZING ATTENDANCE OF POLICE DISPATCHERS LESLIE MOSER, ALBERT HAGGETT AND BRENDA NG, COMMUNICATIONS DIVISION, TO ATTEND THE LAW ENFORCEMENT DISPATCHERS SEMINAR IN SACRAMENTO, CALIFORNIA FROM MARCH 21, 1983 TO MARCH 22, 1983.

RESOLVED, that the recommendation of the Chief of Police that Police Dispatchers Leslie Moser, Albert Haggett and Brenda Ng, Communications Division, be authorized to attend the Law Enforcement Dispatchers Seminar in Sacramento, California from March 21 to March 22, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above named members of the Police Department in the sum not to exceed $234.00 each for subsistence, travel and seminar fees will be defrayed from the Department Training Fund.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 314-83.

AUTHORIZING ATTENDANCE OF SERGEANT WILLIAM KEARNEY, MUNI TRANSIT DIVISION, TO ATTEND THE MASS TRANSIT SECURITY TRAINING COURSE IN OKLAHOMA CITY, OKLAHOMA FROM MARCH 28 TO APRIL 1, 1983.

RESOLVED, that the recommendation of the Chief of Police that Sergeant William Kearney, MUNI Transit Division, be authorized to attend the Mass Transit Security Training Course conducted by the US Department of Transporation, Research and Special Programs Administration in Oklahoma City, Oklahoma from March 28, 1983 to April 1, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above named member of the Police Department in the sum not to exceed $942.00 for subsistence and travel are reimbursable by the US Department of Transportation.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 309-83.

SETTLEMENT OF THE MATTER OF BORDIN CANADA VS. SAN FRANCISCO POLICE DEPARTMENT PERMIT SECTION AND SAN FRANCISCO BOARD OF PERMIT APPEALS.

RESOLVED, that the recommendation of the City Attorney for approval of a proposed stipulation in the settlement of the matter of Bordin Canada vs. San Francico Police Department Permit Section and San Francisco Board of Permit Appeals, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 286-83.

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED.

WHEREAS, Police Officer Bobby Williams, Ingleside Station, was suspended without pay effective 1700 hours, Tuesday, November 30, 1982, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Bobby Williams, Ingleside Station, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Bobby Williams, Ingleside Station, be placed on a Leave of Absence Without Pay at his request for a period of sixty (60) days commencing March 21, 1983 until May 19, 1983, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 364-83.

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - CONTINUED FROM MEETING OF JANUARY 5, 1983.

WHEREAS, the Request for Leave of Absence Without Pay of Police Officer Michael L. Hughes, MUNI Transit Division, was called it having been set for this date; and

WHEREAS, it has been requested that the matter be continued to March 23, 1983; therefore be it

RESOLVED, that the Request for Leave of Absence of Police Officer Michael L. Hughes, MUNI Transit Division, is continued to Wednesday, March 23, 1983 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 287-83.

HEARING OF POLICE OFFICER MICHAEL L. HUGHES, MUNI TRANSIT DIVISION - CONTINUED FROM MEETING OF WEDNESDAY, MARCH 9, 1983.

WHEREAS, the hearing of Police Officer Michael L. Hughes, MUNI Transit Division, was called, it having been set for this date; and

WHEREAS, it has been requested that the matter be continued to March 23, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael L. Hughes, MUNI Transit Division, is continued to Wednesday, March 23, 1983, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 290-83.

DEPARTMENT GENERAL ORDERS M-2, M-3, M-4 - BOUNDARIES OF SOUTHERN DISTRICT, POTRERO DISTRICT AND MISSION DISTRICT - APPROVED.

RESOLVED, that Department General Orders M-2, Southern District Boundary, M-3, Potrero District Boundary, and M-4, Mission District Boundary are hereby adopted as revised.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER NO. N-3, COURT APPEARANCE, DEPARTMENT MEMBERS. (COPIES SENT TO EMPLOYEE ORGANIZATIONS, HELD OVER TO APRIL 13, 1983.)

RECEIPT OF DEPARTMENT GENERAL ORDER NO. D-11, PATROL OFFICER DUTIES. (COPIES SENT TO EMPLOYEE ORGANIZATIONS, HELD OVER TO APRIL 13, 1983).

RESOLUTION NO. 366-83.

PROPOSED RULES AND JOB DESCRIPTION FOR THE POSITION OF DIRECTOR OF OFFICE OF CITIZEN COMPLAINTS - APPROVED.

WHEREAS, the voters of the City and County of San Francisco at the General Election, November 2, 1982, passed a Charter Amendment entitled "Proposition A - Office of Citizen Complaints"; and

WHEREAS, the Police Commission in undertaking to implement said Office has developed proposed Rules and Regulations and Job Description for the position of Director of the Office of Citizen Complaints; therefore be it

RESOLVED, that in accordance with the mandate of the General Election of November 2, 1982 a charter Amendment entitled "Proposition A- Office of Citizen Complaints," proposed rules and regulations and job description for the position of Director, Office of Citizen Complaints, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 315-83.

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED.

WHEREAS, Police Officer Jeffrey Williams, Mission Station, was suspended without pay effective September 10, 1982, at 2000 hours, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Jeffrey Williams, Mission Station, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Jeffrey Williams, Mission Station, be placed on a Leave of Absence Without Pay at his request for a period of sixty (60) days commencing March 12, 1983 until May 10, 1983, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RECEIPT OF DEPARTMENT GENERAL ORDER NO. B-5, "PIC RADIOS" (COPIES SENT TO EMPLOYEE ORGANIZATIONS, HELD OVER TO APRIL 13, 1983.)

IN ACCORDANCE WITH GENERAL ORDER D-1, SECTION A, SUBSECTION 8, A PETITION SIGNED BY TEN OR MORE MEMBERS IS HEREBY SUBMITTED TO THE POLICE COMMISSION REQUESTING THE COMMISSION TO REINSTATE THE PHYSICAL AGILITY TEST IN GENERAL ORDER B-1.

Commissioner Daly, requested that copies of the reports on the weight certifications of Police Officer be sent to the Commission, as she has been getting reports that some officers are not being weighed.

Therefore she wants a list of the names of the officers due to be weighed and a record of their weight sent to the Commission.

The Chief replied that this would be done for the month of April.

RESOLUTION NO. 289-83.

DEPARTMENT GENERAL ORDER NO. B-1-PHYSICAL AGILITY, PHYSICAL FITNESS STANDARDS - APPROVED.

RESOLVED, that the Police Commission hereby adopts revised Department General Order B-1, Physical Agility Standards, Physical Fitness Standards.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION.

The Chief has no report for the Commission tonight.

POLICE COMMISSION REPORT.

Commissioner Murphy, stated that a variety of letters suggesting changes for the Rules and Regulations of the O.C.C. We would like to give these letters to Commander Trueb and Mr. Gash to work on. Commissioner Nelder and I will meet with them.

Commissioner Sanchez, commented that the sub-committee will be meeting or the full Commission will be meeting with the representatives of the P.O.A. within the next two weeks pertaining to their attorneys in review of the porposed Rules and Regulations which we adopted for any additional classification or input we will schedule that in Executive Session.

The Chief wanted to know if the Commission wanted any Parking Controllers who were arrested off duty for drunk driving, to come before them for a hearing.

Commissioner Nelder,"if the Chief recommends that non sworn personnel be bought before the Commission for drunk driving offenses depending upon the severity, as/or repetitiveness then we should consider it."

Commissioner Daly,"since M.A.D.D. has done such a terrific job, people are using cabs more and being more aware not to drive while drunk, if there is a repetitious problem then we should be notified."

The Chief then asked if they remembered the Alexander Lukin case, that he was the one that was terminated, for stealing a radio. "Prior to the hearing I discussed the case with his attorney and based on the information that I had at that time, I didn't feel that I was going to recommend termination, but during the hearing certain facts came out which were considered and based on the recommendation of the Captain I did recommend termination."

His attorney is now saying that because of my statement that I wasn't going to recommend termination he feels that he would have presented a different case,and that Lukin didn't get due process, and he is now asking the Commission for a new hearing."

Commissioner Sanchez, replied that the Lt. was going to poll the Commission on this, but his own response at that point is that the Commission already heard the case, and made the decision to terminate Alexander Lukin.

Commissioner Nelder added that the Commission is not bound by what the Chief recommends even though they appreciate it, they took action on this case by the evidence produced before them.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

THE COMMISSION THEN ADJOURNED ITS MEETING AT 8:01 p.m.

Willie E. Frazier

WILLIE E. FRAZIER
SECRETARY

23 MARCH 1983 EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco ment in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 23, 1983.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

DOCUMENTS DEPT.
AUG 4 1983
SAN FRANCISCO PUBLIC LIBRARY

1. Attorney-Client Conference.

No vote was taken.

23 MARCH 1983 REGULAR SESSION

The Police Commission of the City and County of San Francisco me6 in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 23, 1983 at 1730 hours in regular session.

APPROVAL OF MINUTES OF THE MEETINGS OF NOVEMBER 17, AND NOVEMBER 24, 1982, THE COMMISSIONERS HAVING RECEIVED, AMENDED, AND RETURNED COPIES OF SAME.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED.

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public street, be, and the same are hereby approved:

1153 OAK STREET - WESTSIDE COMMUNITY HEALTH CENTER, INC. - GRANTED.

At 1153 Oak Street, install 22' Yellow zone extending from 13' to 35' east of the west property line.

420 BEACH STREET - PRETZEL COMPANY - GRANTED.

a) At 420 Beach Street, install 22' Yellow zone extending from 12' to 24' east of the west property line.

b) Removal of Meter #BEA403

933 CLEMENT STREET - MING PALACE - GRANTED.

a) At 933 Clement Street, install 22' White zone extending from 22' to 40' east of the west property line.

b) Re oval of Meter #911.

1201 ORTEGA STREET - THE SAN FRANCISCO CONSERVATORY OF MUSIC - GRANTED.

At 1201 Ortega Street, install 22' Yellow zone extending from 73' to 100' south of Ortega Street.

201 LEAVENWORTH STREET - HURLEY HOTEL - GRANTED.

At 201 Leavenworth Street, install 26' White zone extending from 40' to 66' north of Turk Street.

199 - 6TH STREET - GREAT AMERICAN GLASS CO. - GRANTED.

a) At 199-6th Street, install 19' Yellow zone extending form 25' to 44' east of 6th Street on Howard Street.

b) Removal of Meter #HOW 994.

730 BUSH STREET - ASTRO CLEANERS - GRANTED.

At 730 Bush Street, install 22' SPECIAL TRUCK LOADING ZONE sign to be installed on Meter #BUS716 9AM to 1PM.

642 CAPP STREET - S.F.P.D. - REVOKED.

At 642 Capp Street, revoke existing 22' White zone, extending from 12' south of to 10' north of north line of 642 Capp Street.

2930 OCTAVIA STREET - S.F.P.D. - REVOKED.

At 2930 Octavia Street, revoke existing 19' Yellow zone, extending from 4' to 23' south of the north property line.

2843 CLAY STREET - S.F.P.D. - REVOKED.

At 2843 Clay Street, revoke existing 24' Green zone, extending from 24' west of east bldg. line.

423,231,237 BALBOA STREET - S.F.P.D. - REVOKED.

At 423,241,237 Balboa Street, revoke existing 19' Green zone, extending from 81' west of east bldg. line.

807 LINCOLN WAY - S.F.P.D. - REVOKED.

At 807 Lincoln Way, revoke existing 23' Green zone, extending from 3' to 31' west of east bldg. line.

821 LINCOLN WAY - S.F.P.D. - REVOKED.

At 821 Lincoln Way, revoke existing 27' Green zone, extending from 3' to 60' east of the west bldg. line.

2915 19TH STREET - S.F.P.D. - REVOKED.

At 2915 19th Street, revoke existing 32' Yellow zone, extending from west of the east line of the building.

932-934 LARKIN STREET - S.F.P.D. - REVOKED.

At 932-934 Larkin Street, revoke existing 45' Yellow zone, extending from 6' to 51' south of the north bldg. line.

533 JACKSON STREET - S.F.P.D. - REVOKED.

At 533 Jackson Street, revoke existing 27' Yellow zone, extending from 6' to 33' west of the east property line of the east property line of bldg.

1201 ORTEGA STREET - S.F.P.D. - REVOKED.

At 1201 Ortega Street, revoke existing 60' White zone, extending from 81' to 414' west of 19th Avenue.

2690 GEARY BLVD. - BEKINS RECORDS MANAGEMENT - GRANTED.

a) At 2690 Geary Blvd., install 33' Yellow zone, extending from 21' to 54' west of the east property line.

b) Removal of Meter #GEA2612.

2702 47TH AVENUE - PUBLIC UTILITIES COMMISSION - GRANTED.

At 2702 47th Avenue, install 24' Blue zone, extending from 24' south on 47th Avenue.

21 HAWTHORNE STREET - S.F.P.D. - REVOKED.

At 21 Hawthorne Street revoke existing 64' Yellow zone, SPECIAL TRUCK LOADING ZONE, extending from 55' to 119' south of Howard Street.

824 VALLEJO STREET - S.F.P.D. - REVOKED.

At 824 Vallejo Street, revoke existing 22' Yellow zone, extending form west from the east line of the bldg.

1100 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1100 Folsom Street, revoke existing 20' Yellow zone, extending from 40' to 60' west of 7th Street.

1131 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1131 Folsom Street, revoke existing 24' Yellow zone, extending from east of the west line of the bldg.

1151 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1151 Folsom Street, revoke existing 25' Yellow zone, extending from 6' to 31' west of Hallan Place.

1149 - 1151 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1149-1151 Folsom Street, revoke existing 21' Yellow zone, extending from east of the west property line.

1219 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1219 Folsom Street, revoke existing 18' Yellow zone, extending from 12' to 31' east of the west property line.

1245 FOLSON STREET - S.F.P.D. - REVOKED.

At 1245 Folsom Street, revoke existing 23' Yellow zone, extending from west of east bldg. line.

2107 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2107 Folsom Street, revoke existing 23' Green zone, extending from 6' to 29' south of 17th Street.

2101 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2101 Folsom Street, revoke existing 50' Yellow zone, extending from 29' to 79' south of 17th Street.

2101 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2101 Folsom Street, revoke existing 19' Yellow zone, extending form 95' south of 17th Street.

2299 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2299 Folsom Street, revoke existing 15' Green zone, extending from 9' to 24' north of 19th Street.

2301 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2301 Folsom Street, revoke existing 30' Yellow zone, extending from 6' to 36' south of 19th Street.

2491 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2491 Folsom Street, revoke existing 24' White zone, north of the south line of #2493.

2499 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2499 Folsom Street, revoke existing 36' Yellow zone, extending from 10' to 46' north of 21st Street.

2501 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2501 Folsom Street, revoke existing 36' Green zone, extending from 10' to 46' south of 21st Street.

2701 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2701 Folsom Street, revoke existing 21' Green zone, extending form 9' to 30' south of 23rd Street.

2777 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2777 Folsom Street, revoke existing 18' Yellow zone, extending from north of the south bldg. line.

3000 FOLSOM STREET - S.F.P.D. - REVOKED.

At 3000 Folsom Street, revoke existing 36' Green zone, extending from 50' to 86' south of 26th Street.

3214 FOLSOM STREET - S.F.P.D. - REVOKED.

At 3214 Folsom Street, revoke existing 22' Yellow zone, extending from 3' to 25' north of Bessie Street.

3202 FOLSOM STREET - S.F.P.D. - REVOKED.

At 3202 Folsom Street, revoke existing 18' Green zone, extending from 3' to 21' south of Precita Avenue.

3190 18TH STREET - S.F.P.D. - REVOKED.

At 3190 18th Street, revoke existing 30' Yellow zone, extending from 5' to 35' west of the driveway at east end of bldg.

90 14TH STREET - S.F.P.D. - REVOKED.

At 90 14th Street, revoke existing 20' Yellow zone, extending from 15' to 35' west of east line.

REVOKED.

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 770 feet of red, green, yellow and blue zones, at the parts of the City, at the location submitted, be,and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 316-83.

DOYLE SAYLOR.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Doyle Saylor in the sum of $2,500.00 in Superior Court Action No. 771-340, entitled "Doyle Saylor et al., vs. Cornelius P. Murphy, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 29, 1980

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 317-83.

PETER R. MALONEY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter R. Maloney against the City and County of San Francisco in the sum of $2,432.43 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 318-83.

LEO DOWNING.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leo Downing against the City and County of San Francisco in the sum of $715.16 as the result of damages sustained be, and the same is hereby approved.

Date of Incident: Janaury 10, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 319-83.

HERTZ CORPORATION.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Hertz Corporation against the City and County of San Francisco in the sum of $600.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 14, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 320-83.

BEVERLY WALTERS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beverly Walters against the City and County of San Francisco in the sum of $314.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 16, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 321-83.

FRANCES MABLE LAINE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frances Mable Laine against the City and County of San Francisco in the sum of $286.41 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 16, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 323-83.

ARTHUR P. McGLENON, JR. & FERNANDO VENDITTI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Aruthur P. McGlenon, Jr. and Fernando Venditti against the City and County of San Francsico in the sum of $132.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 24, 1982

AYES: Commissioners Daly, Toelr, Nelder, Murphy, Sanchez

RESOLUTION NO. 324-83.

MICHAEL CAMPIONE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Campione against the City and County of San Francisco in the sum of $90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 30, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 325-83.

DENISE M. DUFF.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Denise M. Duff against the City and County of San Francisco in the sum of $86.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 28, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 326-83.

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of$77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 1, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 327-83.

MARTIN J. KENLON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Martin J. Kenlon against the City and County of San Francisco in the sum of $77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Febr4uary 14, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 328-83.

AMY STEINER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Amy Steiner against the City and County of San Francisco in the sum of $68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 329-83.

CHRISTOPHER TROXELL.

RESOLVED, that the recommendation of the City Attorney for settlemnt of the claim of Christopher Troxell against the City and County of San Francisco in the sum of$68.40 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 9, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 330-83.

SHELLEY EVANS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shelly Evans against the City and County of San Francisco in the sum of $59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 15, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 331-83.

ROBERT E. HOM.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert E. Hom against the City and County of San Francisco in the sum of $59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 14, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 332-83.

BETTY DOTT.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Betty Dott against the City and County of San Francisco in the sum of $56.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 1, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 333-83.

EVELYN FOO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Evelyn Foo against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 17, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO.334-83.

BELINDA MICHAUX.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Belinda Michaux against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 16, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 333-83.

KAREN LIM.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Karen Lim against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 339-83.

MARY POWELL.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Powell against the City and County of San Francisco in the sum of $36.30 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 340-83.

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of $27.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 29, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 341-83.

ANNE SMART.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anne Smart against the City and County of San Francisco in the sum of $9.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 342-83.

MILTON FILLMAN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Milton Fillman against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1983

RESOLUTION NO. 343-83.

MICHAEL PODENSKI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Podenski against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 9, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 344-83.

LEOTA CLAIRE LAURENS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leota Claire Laurens against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 31, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 345-83.

EMAM SABER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Emam Saber against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 14, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLULTION NO. 346-83.

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 9, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 347-83.

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 22, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 348-83.

CAROLYN BAKER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carolyn Baker against the City and County of San Francico in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 15, 1982

AYES: Commissioenrs Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 349-83.

TITO M. CAMPOS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tito M. Campos against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 3, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 350-83.

SUSIE AU.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susie Au against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 9, 1983

AYES: Commissiomers Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 351-83.

RICHARD YUEN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Yuen against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 352-83.

VENA NANNAVIROJ.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Vena Nannaviroj against the City and County of San Francisco in the sum of$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 5, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 353-83.

MICHAEL STERN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Stern against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 322-83.

FAYEZ KAYED.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Fayez Kayed against the City and County of San Francisco in Small Claim Court Action No. 408-820 in the sum of $256.00, entitled "Fayez Kayed vs. City and County of San Francisco," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 21, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 354-83.

JOHN W. SEENEY.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of John W. Seeney in the sum of $12,000.00 in Municipal Court Action No. 817-064, entitled "John W. Seeney, et al., vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 14, 1980

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 355-83.

AUTHORIZING ATTENDANCE OF CAPTAIN MICHAEL BRUSH, COMMUNICATIONS DIVISION AND CAPTAIN ROBERT FORNI, SOUTHERN STATION, AT THE POST EXECUTIVE DEVELOPMENT COURSE AT POMONA, CALIFORNIA FROM APRIL 10, 1983 TO APRIL 22, 1983.

RESOLVED, that the recommendation of the Chief of Police that Captain Michael Brush, Communications Division and Captain Robert Forni, Southern Station, be authorized to attend the POST University at Pomona, California from April 10, 1983 to April 22, 1983, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by the above-named members of the San Francsico Police Department in a sum not to exceed $969.00 each for subsistence and travel are reimbursable by POST.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED.

RESOLUTION NO. 356-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Officer Robert Rogers) $1,702.00 (Hazardous Devices
(Course
(Huntsville, Alabama
(02/13/83-03/04/83

AYES: Commissioners Daly, Toler, Melder, Murphy, Sanchez

RESOLUTION NO. 357-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved:

Officer Matthew Perez) $665.00 (5th Annual Video
(Exposition
(San Francisco, Ca.
(Knowledge Industry Publications (02/14/83-02/18/83

AYES: Commissioners Daly, Toler, Melder, Murphy, Sanchez

POLICE COMMISSION REPORT.

Commissioner Melder, wanted the Chief to know that it has been brought to his attention by a blind person in the Mission district that he was very pleased with the response of the police department in clearing vehicles off the sidewalks.

However he would like to see this action to be taken throughout the City, " as it is a great hazard for a blind or handicapped person when vehicles are parked on the sidewalk."

He suggested that besides enforcement, "that maybe there should be an effort made to educate the public and help them to realize the hazzards that parking on the sidewalk creates for handicapped people."

The Chief, responded "that this week an information bulletin has been issued to deparment, informing officers of the seriousness of this kind of violation."

"We intend to give the public fair notice, one week, and if they are still parking on the sidewalk we will then issue them a citation."

Commissioner Murphy, "I have a little addendum to that. A number of years ago there was a group of handicapped people who came and appeared before the Commission, and they suggested that a little memeograph tablet, bound together with a carbon inbetween the pages, and that they could write out a notice you are violating the law, etc., and a copy of this is being sent to the Police Department , and they would then leave that on the windshield, and send a copy to the Police Department with the car license number.

This was never followed through but it seems to me to be a very good idea, it isn't a citation, it just brings to the violators attention that they are breaking the law. It seems very simple to me, to do it. Then the Meterpeople could take those notices on their beat and see if they get repeaters, it would be very inexpensive.

Groups like Mark Foresters and other groups could be provided with the warning slips.

I have one other item, I just thought it would be interesting for everyone to know that the Public Service Office of the City and radio have been not only contacted but have agreed and made an announcement on the position of the Director of the O.C.C. and I understand that it was on KMBR this morning and it should be on some other stations, and also we're having some success with T.V., not as much but we're hoping that T.V. gets the word out too. We have really too few applications relatively speaking, we need more."

CHIEF'S REPORT TO THE POLICE COMMISSION.

The Chief reported on the status of the Crime Report for the year. "I don't have the individual statistic written down, but so far, the volume this time this year as compared to last year is 3.5% less than we had last year."

RESOLUTION NO. 359-83.

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF CHARGES - APPROVED.

WHEREAS, Police Officer Michael L. Hughes, MUNI Transit Division, was suspended without pay effective 1700 hours, Thursday, July 22, 1982, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Michael L. Hughes, MUNI Transit Division, has requested a Leave of Absence Without Pay pending hearing of the charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Michael L. Hughes, MUNI Transit Division, be placed on a Leave of Absence Without Pay at his request for a period of sixty (60) days commencing March 27, 1983 until May 24, 1983, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Melder, Murphy, Sanchez

RESOLUTION NO. 361-83.

HEARING OF POLICE OFFICER MICHAEL L. HUGHES, MUNI TRANSIT DIVISION - CONTINUED FROM MEETING OF WEDNESDAY, MARCH 23, 1983.

WHEREAS, the hearing of Police Officer Michael L. Hughes, MUNI Transit Division, was called it having been set for this date; and

WHEREAS, it has been requested by Mr. James Collins, attorney for Officer Hughes, that the matter be continued to a date beyond this date; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Michael L. Hughes, MUNI Transit Division, is continued to Wednesday, May 18, 1983 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 362-83.

HEARING OF POLICE OFFICER JERRY LANKFORD, VICE CRIMES DIVISION.

WHEREAS, the hearing of Police Officer Jerry Lankford, Vice Crimes Division, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Robert A. Martin, attorney for Police Officer Jerry Lankford, that the date for the hearing before the Police Commission be set for May 18, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Jerry Lankford is set for Wednesday, May 18, 1983 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 360-83.

SETTING OF DATE FOR HEARING OF POLICE OFFICER CORBETT F. DICKEY, PARK STATION.

WHEREAS, the date to be set for the disciplinary hearing of Police Officer Corbett F. Dickey, Park Station, was called it having been set for this date; and

WHEREAS, it was requested by Mr. Jerry Akins, attorney for the San Francisco Police Department, that the date for the hearing before the Police Commission be set for April 13, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Corbett F. Dickey is set for Wednesday, April 13, 1983 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

HEARING OF POLICE SERGEANT CHARLES E. WARREN, JR. TACTICAL DIVISION.

The hearing of Sergeant Charles E. Warren, Jr., Tactical Division, was called it having been set for this date. Sergeant Charles E. Warren, Jr. was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Use of unnecessary force and conduct which tends to subvert the good order, efficiency and discipline of the department (violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department);

SPECIFICATION NO. 2

Use of unnecessary force and conduct which tends to subvert the good order, efficiency and discipline of the department (violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department).

in a properly verified complaint by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department.

Sergeant Charles E. Warren, Jr. appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Jerry Akins, Attorney at Law, appeared as Prosecutor for the Police Department.

The following named witnesses appeared for the Defense, were sworn and testified:

Sgt. Charles E. Warren
Tactical Division

Mr. Edward L. Epting
Former Lieutenant
San Francisco Police Department

The following exhibits were entered into evidence by the Defense:

Exhibit A - A 1968 black and white photograph of Officer Charles Tedro and Sgt. Charles Schuler. (Presented by and returned to Mr. Epting.)

Exhibit B - A 1968 black and white photograph of Officer Charles Tedro, Officer Edward Dennis and suspect Donald McAllister. (Presented by and returned to Mr. Epting.)

Closing statements were made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 363-83.

DECISION - HEARING OF SERGEANT CHARLES E. WARREN, JR. TACTICAL DIVISION.

WHEREAS, on March 10, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Sergeant Charles E. Warren, Jr. as follows:

SPECIFICATION NO. 1

(a) At all times mentioned herein, Charles E. Warren, Jr. was a police officer employed by the San Francisco Police Department;

(b) At all times mentioned herein Charles E. Warren, Jr. held the rank of Sergeant of Police and was on duty, and assigned to the Tactical Division.

(c) At all times mentioned herein, Sergeant Charles E. Warren, Jr. (hereinafter Sgt. Warren) was leading a squad of policemen (hereinafter "Sergeant Warren's squad";)

(d) As a Police Sergeant, Sergeant Warren was and is responsible for knowing and obeying the Orders, Rules, and Procedures of the San Francsico Police Department:

(e) At all times herein mentioned, specifically, on September 27, 1981, Sergeant Warren was detailed to a demonstration at the Jack Tar Hotel during the stay of El Salvadorian President Duarte;

(f) The pro-and anti- Duarte demonstrators on Van Ness Avenue became violent and Sergeant Warren's Squad was or

(g) Sergeant Warren's squad made a sweep in a southerly direction on Van Ness Avenue toward Geary Boulevard;

(h) Sergeant Warren's squad then proceeded east on Geary Street toward Polk Street in pursuit of persons in the crowd at said place;

(i) While making said movement east on Geary Street, Sergeant Warren personally made contact with several different persons, including a Mr. Francisco Gomez, whom Sergeant Warren chased before making contact with him;

(j) In making contact with Mr. Francisco Gomez, Sgt. Warren used unnecessary force and improperly used his baton by striking Mr. Francisco Gomez on the back of his head, causing injury to Francisco Gomez, in violation of the Procedures of the San Francisco Police Department relative to the use of the baton and use of unnecessary force in effecting his mission as a police officer;

(k) That the above stated conduct of Sergeant Warren did violate the procedures set forth in the Patrol Officer's Manual, Section "Uniforms and Equipment 111," Police Batons, page 29, which states that:

"Except under the most adverse circumstances, Officer shall not strike in this area (indicating the head) with either baton (26" or 36")."

(l) That because of the above stated conduct, Sergeant Charles E. Warren Jr. did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states as follows:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member therof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these rules and procedures shall be considered unofficer like conduct, triable and punishable by the Board."

SPECIFICATION NO. 2

(a) Each and every allegation contained in paragraphs (a through (k) of Specification No. 1 is hereby incorporated herein by reference as though set forth in full;

(b) While engaged in the above conduct Sergeant Warren was photographed by one Fred Athearn;

(c) After striking Francisco Gomez, as described above, Sergeant Warren then turned to Fred Athearn using unnecessary force, and improperly using his baton, struck Fred Athearn on the top of his head causing injury to Fred Athearn in violation of the Procedures of the San Francisco Police Department relative to the use of the baton;

(d) That the above stated conduct of Sergeant Warren did violate the procedures set forth in the Patrol Officer' Manual, Section "Uniforms and Equipment 111" Police Batons page 29, which states that:

"Except under the most adverse circumstances, officers shall not strike in this area (indicating the head) with either baton (26" or 36").

(c) That because of the above conduct, Sergeant Charles E. Warren, Jr. did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states as follows:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the Department or which reflects discredit upon the Department or any member thereof or that is prejudicial to the efficiency and discipline of the Department, though such offenses are not specifically defined or laid down in these rules and procedures shall be considered unofficerlike conduct, triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission purusant to Section 8.343 of the Charter of the City and County of San Francisco on January 26, 1983, February 16, 1983, and on Wednesday, March 23, 1983 and on Wednesday, March 23, 1983, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Sergeant Charles E. Warren, Jr. as contained in Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department and Specification No. 2, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant Charles E. Warren, Jr., Tactical Division, has violated Specification No. 1, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that is is the order of the Police Commission that for said violations Sergeant Charles E. Warren, Jr., Tactical Division, shall be suspended for 120 calendar days, thirty (30) of which shall not be imposed on the condition that Sergeant Charles E. Warren be suspended for ninety (90) calendar days without pay commencing on Wednesday, April 13, 1983 at 0001 hours and terminating on Monday, July 11, 1983 at 2400 hours, and further, Sergeant Charles E. Warren shall satisfactorily complete a one-year period of probation and upon satisfactory completion the thirty (30) days suspension held in abeyance shall be dismissed.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 358-83.

POLICE OFFICER GERALD F. D'ELIA, MUNI TRANSIT DIVISION.

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Officer Gerald F. D'Elia, UMI Transit Division, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off-duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Officer Gerald F. D'Elia, MUNI Transit Division, is set for Wednesday, March 30, 1983 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

THE COMMISSION THEN ADJOURNED ITS MEETING AT 10:20 p.m.

ELLIE E. FRAZER
SECRETARY

CF
245
+2
30/83

30 MARCH 1983 EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, March 30, 1983 at 1700 hours in Executive Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

1. Attorney-Client Conference.

No vote was taken.

DOCUMENTS DEPT.
AUG 4 1983
SAN FRANCISCO
PUBLIC LIBRARY

30 MARCH 1983 SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, March 30, 1983 at 1700 hours in Special Session.

PRESENT: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

Commissioner Sanchez presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED.

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public Street, be, and the same are hereby approved:

2690 GEARY BLVD. - BEKINS RECORDS MANAGEMENT - GRANTED.

(a) At 2690 Geary Blvd, install 33' Yellow zone extending from 21' to 54' west of the east property line.

(b) Removal of Meter GEA2612

2702 47th AVENUE - PUBLIC UTILITIES COMMISSION - GRANTED.

At 2702 47th Avenue, install 24' Blue zone extending from Wawona Street south on 27th Avenue.

12 HAWTHORNE STREET - S.F.P.D. - REVOKED.

At 21 Hawthorne Street, revoke existing 64' Yellow zone, SPECIAL TRUCK LOADING ZONE, extending from 55' to 119' south of Howard Street.

824 VALLEJO STREET - S.F.P.D. - REVOKED.

At 824 Vallejo Street, revoke existing 20' Yellow zone extending from west from the east line of the bldg.

1100 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1100 Folsom Street, revoke existing 20' Yellow zone extending from 40' to 60' west of 7th Street.

1131 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1131 Folsom Street, revoke existing 25' Yellow zone extending from east of the west line of the bldg.

1151 FOLSOM STREET - S.F.P.D. - REVOKED.

At 11351 Folsom Street, revoke existing 25' Yellow zone extending from 6' to 31' west of Hallan Place.

1159 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1151 Folsom Street, revoke existing 21' Yellow zone extending from east of the west property line.

1245 FOLSOM STREET - S.F.P.D. - REVOKED.

At 1245 Folsom Street, revoke existing 23' Yellow zone extending from west of east bldg. line.

2107 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2107 Folsom Street, revoke existing 23' Green zone extending from 6' to 29' south of 17th Street.

2101 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2101 Folsom Street, revoke existing 50' Yellow zone extending from 29' to 79' south of 17th Street.

2101 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2101 Folsom Street, revoke existing 18' Yellow zone extending from 95' to 113' south of 17th Street.

2299 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2299 Folsom Street, revoke existing 15' Green zone extending from 9' to 24' north of 19th Street.

2301 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2301 Folsom Street, revoke existing 30' Yellow zone extending from 6' to 36' south of 19th Street.

2491 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2491 Folsom Street, revoke existing 24' White zone extending from north of the south line of #2493.

2499 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2499 Folsom Street, revoke existing 36' Yellow zone extending from 10' to 46' north of 21st Street.

2501 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2501 Folsom Street, revoke existing 26' Green zone extending from 10' to 46' south of 21st Street.

2701 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2701 Folsom Street, revoke existing 21' Green zone extending from 9' to 30' south of 23rd Street.

2777 FOLSOM STREET - S.F.P.D. - REVOKED.

At 2777 Folsom Street, revoked existing 18' Yellow zone extending from north of the south bldg. line.

3000 FOLSOM STREET - S.F.P.D. - REVOKED.

At 3000 Folsom Street, revoke existing 36' Green zone extending from 50' to 86' south of 26th Street.

3214 FOLSOM STREET - S.F.P.D. - REVOKED.

At 3214 Folsom Street, revoke existing 22' Yellow zone extending from 3' to 25' north of Bessie Street.

3190 18TH STREET - S.F.P.D. - REVOKED.

At 3190 18th Street, revoke existing 30' Yellow zone extending from 5' to 35' west of the driveway at east end of bldg.

90 14TH STREET - S.F.P.D. - REVOKED.

At 90 14th Street, revoke existing 20' Yellow zone extending from 15' to 35' west of east line.

101 CALIFORNIA STREET - 101 CALIFORNIA ST. GRANTED.

At 101 California Street, install 90' White zone extending from the west property line 90' east.

100 BLOCK FRONT STREET - 101 CALIFORNIA ST. GRANTED.

At 100 block of Front Street, install 78' White zone from the north property line 78' south.

100 BLOCK FRONT STREET - 101 CALIFORNIA ST. GRANTED.

At 100 block of Front Street, install 40' Yellow zone from 78' to 118' south of the north property line.

100 BLOCK FRONT STREET - 101 CALIFORNIA ST.
GRANTED.

At 100 block of Front Street, install 50' STLZ from the south property line 50' north SPECIAL TRUCK ZONE 7 a.m. to 1 p.m.

PINE STREET UNIT BLOCK - 101 CALIFORNIA ST.
GRANTED.

At unit block Pine Street, install 64' White zone from 81' to 145' west of the east property line.

PINE STREET UNIT BLOCK - 101 CALIFORNIA ST.
GRANTED.

At unit block Pine Street, install 44' Yellow zone from the west property line 44' east.

DAVIS STREET UNIT BLOCK - 101 CALIFORNIA ST.
GRANTED.

At unit block Davis Street, install 27' Blue zone from 20' to 47' south of the north property line.

DAVIS STREET UNIT BLOCK - 101 CALIFORNIA ST.
GRANTED.

At unit block Davis Street, install 107' White zone from 77' to 184' south of the north property line.

REVOKED.

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 579 feet of red, green, and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Daly, Nelder, Toler, Murphy, Sanchez

RESOLUTION NO. 367-83.

MAUDE F. JONES AND ERNEST JONES, SR.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Maude F. Jones and Ernest Jones, Sr. in the sum of $7,250.00 in Superior Court Action No. 766-249 entitled "Maude F. Jones and Ernest Jones, Sr. vs. the City and County of San Francisco, et al.", as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 13, 1980

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 368-83.

ALL IMPORT AUTO DISMANTLERS, INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of All Import Auto Dismantlers, Inc. against the City and County of San Francisco in the sum of $5,041.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 21, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 369-83.

BUDGET RENT A CAR.

RESOLVED , that the recommendation of the City Attorney for settlement of the claim of Budget Rent A Car against the City and County of San Francisco in the sum of $426.86 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 8, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 370-83.

MARIANO F. LAGRISOLA.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mariano F. Lagrisola against the City and County of San Francisco in the sum of $344.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 16, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 371-83.

HOPE CHEEKS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hope Cheeks against the City and County of San Francisco in the sum of $151.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 8, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 372-83.

JAMES O. WILDERSON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James O. Wilderson against the City and County of San Francisco in the sum of $150.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 23, 1982

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 373-83.

ROSE M. VILLALON.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rose M. Villalon against the City and County of San Francisco in the sum of $105.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 10, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 374-83.

JOHN T. POSEY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John T. Posey against the City and County of San Francisco in the sum of $105.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 16, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 375-83.

ABC TOWING & STORAGE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing & Storage Co. against the City and County of San Francisco in the sum of $77.60 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 20, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 376-83.

MICHAEL ECONS.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Econs against the City and County of San Francisco in the sum of $59.20 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 377-83.

CLIFTON L. HOLMES.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clifton L. Holmes against the City and County of San Francisco in the sum of $56.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 24, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 378-83.

DONALD J. ROHMER.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald J. Rohmer against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 379-83.

RAYMOND LEE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raymond Lee against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 380-83.

MARK BIGLIERI.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark Biglieri against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 381-83.

ROGER W. WICKE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Roger W. Wicke against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1983

AYES: Commissioners Daly, Toler , Nelder, Murphy, Sanchez

RESOLUTION NO. 382-83.

TOMAS I. YAMBAO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tomas I. Yambao against the City and County of San Francisco in the sum of$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 22, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 383-83.

JEFF HORWITZ.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tomas I. Yambao against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 9, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 384-84.

MARILOU E. RHEIN.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marilou E. Rhein against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 17, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 385-83.

BRANKO PRESICEK.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Branko Presicek against the City and County of San Francisco in the sum of$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 12, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 386-83.

ALFRED W. CHERRY.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alfred W. Cherry against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 18, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 387-83.

MEGAN McCULLOUGH.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Megan McCullough against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 16, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 388-83.

JEFFREY PROBST.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffrey Probst against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 22, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 389-83.

DAVID JAMES TAFF.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David James Taff against the City and County of San Francisco in the sum of$50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 3, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 390-83.

CLARENCE C. DONG.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clarence C. Dong against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 14, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 391-83.

ARTHUR L. WOOD.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arthur L. Wood against the City and County of San Francisco in the sum of $50.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 392-83.

JACK WICKERT.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jack Wickert against the City and County of San Francisco in the sum of $46.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 20, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 393-83.

THOMAS H. SCHLIEVE.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas H. Schlieve against the City and County of San Francisco in the sum of $36.80 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 394-83.

ALLEN J. KAGEL.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allen J. Kagel against he City and County of San Francisco in the sum of $9.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 16, 1983

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

TRAVELING EXPENSE VOUCHERS - APPROVED.

RESOLUTION NO. 395-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Insp. Robert Stone) $663.00 (Fire Arson
(Investigation
(Course
(Emmitsburg, Md.
(01/24/83-02/11/83

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 396-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Sgt. Gregory Cash) $1,020.00 (Explosive Ordnance
(Disposal
(Refresher Training
(Course
(Huntsville, Alabama
(03/06/83-03/11/83

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 397-83.

RESOLVED, that the Traveling Expense Voucher submitted by the following named member of the Police Department for expenses incurred in attending the below indicated program, be, and the same is hereby approved.

Sgt./Insp. Juan Morales) $360.00 ea. (Crimes
Sgt./Insp. George Bodrov) (Against the
(Elderly
(Training Course
(Sacramento,Ca.
(02/07/83-02/11/83

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

POLICE COMMISSION REPORT.

Commissioner Nelder complimented the Police Department for the fast action taken regarding the complaints from the handicapped of vehicles parked on the sidewalk.

Dr. Sanchez stated that he also had gotten a lot of calls and letters from handicapped people, including agencies like the Lighthouse for the Blind, that the prompt action from the Police Department has really made a difference not only in perhaps certain parts of the City, but especially in the residential areas where vehicles have been on the sidewalk and units have gone by and never cited them. "I think the Police Department has put up a very good effort and that we are getting positive results."

CHIEF'S REPORT TO THE POLICE COMMISSION.

The Chief had no report for the Commission tonight.

REQUEST FROM OFFICER LINDA FLANDERS TO ACCEPT A REWARD OF $75.00 FROM THE U.S. ARMY FOR THE ARREST OF A MILITARY DESERTER.

PERMISSION TO ACCEPT A REWARD - APPROVED.

The request of Police Officer Linda Flanders to accept a reward of $75.00 from the United States Army for the arrest of a military deserter, be, and the same is hereby approved.

AYES: Commissioenrs Daly, Toler, Nelder, Murphy, Sanchez

RECEIPT OF PROPOSED DEPARTMENT GENERAL ORDER O-4, SUGGESTION COMMITTEE. (COPIES SENT TO EMPLOYEES ORGANIZATIONS CONTINUED TO APRIL 27, 1983).

RECEIPT OF DEPARTMENT GENERAL ORDER NO. D-10, PATROL SERGEANTS' DUTIES. (COPIES SENT TO EMPLOYEES' ORGANIZATIONS CONTINUED APRIL 27, 1983).

RECEIPT OF DEPARTMENT GENERAL ORDER NO. D-12, JUVENILE PROCEDURE. (COPIES SENT TO EMPLOYEES' ORGANIZATIONS CONTINUED TO APRIL 27, 1983).

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT A RESOLUTION SPECIFIYING RAINWEAR WITH CERTAIN EXCEPTIONS PARALLEL TO THAT USED BY POLICE OFFICERS TO BE ADDED AS PART OF THE UNIFORM FOR MEMBERS CLASSIFIED AS PARKING CONTROL OFFICERS.

RESOLUTION NO. 401-83.

PARKING CONTROL OFFICER - RAINWEAR - APPROVED.

RESOLVED, that rainwear as herein specified shall be a part of the uniform for members classified as Parking Control Officer.

PARKING CONTROL OFFICER RAINWEAR

Jacket: Blauer and Company Number 233 or acceptable equal. Coated nylon, single breasted, rustproof closures, to be waterproof. Slash pocket and badge holder. Color - Yellow.

Pants: Blauer and Company Number 134 or acceptable equal. Coated nylon, waterproof, one inch wide elastic in back waist, bar tacked at side seams. Hemmed legs, nine-inch vent for access to pockets, fly front opening. Color - Black.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 399-83.

PARKING CONTROL OFFICER, UNIFORM - APPROVED.

RESOLVED, that a sweater as herein specified shall be a part of the uniform for members classified as Parking Control Officer.

PARKING CONTROL OFFICER UNIFORM SWEATER

Color - Navy Blue

Material - Washable, 100% Orlon Acrylic, Dupont caroline yarn, color fast, pre-shrunk.

Collar - 2" ribknit collar, reinforced stitching at neck.

Cuffs - 4" ribknit cuffs, reinforced stitching at sleeves.

Sleeves - Wrist-length sleeves with elbow patched sewn inside of elbows.

Pockets - Two lower front pockets with 5" opening, back of pocket self-fabric, front of udner pocket pre-shrunk cotton-polyester flanned, 4½" deep.

Zipper - Front-opening heavy-duty zipper, double stitched to body of sweater.

Size Marking - Size tab to be sewn in with label and washing instructions to back of neck.

Badge Holder - ½" X ¼" stainless black metal holder sewn on left front 6" down from shoulder midway between zipper and sleeve.

Patch - One SFPD ball cap patch sewn to each sleeve one inch from shoulder seam, centered on sleeve crease.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 407-83.

REQUEST OF MR. FELIX ARBEOLA FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED.

WHEREAS, Mr. Felix Arbeola requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. Felix Arbeola's capability of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase and passes a vehicle inspection, approves Mr. Felix Arbeola's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Felix Arbeola for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 408-83.

REQUEST OF MS. MINNIE AARON FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HER JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED.

WHEREAS, Ms. Minnie Aaron requested by letter a hearing before the Police Commission for permission to increase her passenger capacity from twelve (12) to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Ms. Minnie Aaron's capability of increasing her passenger capacity and of having purchased the appropriate amount of insurance to cover such increase and passes a vehicle inspections, approves Ms. Minnie Aaron's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Ms. Minnie Aaron for permission to increase her jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 409-83.

REQUEST OF MR. STANLEY FONG FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED.

WHEREAS, Mr. Stanley Fong requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. Stanley Fong's capability of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase and passes a vehicle inspection, approves Mr. Stanley Fong's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Stanley Fong for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 410-83.

REQUEST OF MR. LOUIS F. JEAN FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED.

WHEREAS, Mr. Louis F. Jean requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. Louis F. Jean's capability of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase and passes a vehicle inspection, approves Mr. Louis F. Jean's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Louis F. Jean for permission to increase his jitney bus passenger capacity from twelve (12) to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 411-83.

REQUEST OF MR. JESUS LOPEZ FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED.

WHEREAS, Mr. Jesus Lopez requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. Jesus Lopez' capability of increasing his passenger capacity and of having purchased the insurance to cover such increase and passes a vehicle inspection, approves Mr. Jesus Lopez' request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. Jesus Lopez for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioenrs Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 412-83.

REQUEST OF MR. WILLIAM H. LOSA FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED.

WHEREAS, Mr. William H. Losa requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. William H. Losa's capability of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase and passes a vehicle inspection, approves Mr. William H. Losa's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. William H. Losa for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 413-83.

REQUEST OF MR. JOHN PICKETT FOR PERMISSION TO INCREASE THE PASSENGER CAPACITY OF HIS JITNEY BUS FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - APPROVED.

WHEREAS, Mr. John Pickett requested by letter a hearing before the Police Commission for permission to increase his passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission, after hearing a favorable report from the Police Department's Permit Bureau regarding Mr. John Pickett's capability of increasing his passenger capacity and of having purchased the appropriate amount of insurance to cover such increase and passes a vehicle inspection, approves Mr. John Pickett's request; therefore be it

RESOLVED, that it is the order of the Police Commission that the request of Mr. John Pickett for permission to increase his jitney bus passenger capacity from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby approved.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

TAXICAB MEDALLIONS.

Commissioner Sanchez asked Officer Suslow how he determined the fee of $3.00 for the Metallic Taxicab Medallion.

Officer Suslow replied that the amount for the fee was reached after deducting the amount of $3.00 which covered the costs incurred by the City on the cost for the Medallions. The other cost would be covered by the license fee that the owners pay on an annual basis, which is currently $70.00.

RESOLUTION NO. 400-83.

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT A RESOLUTION ESTABLISHING A FEE OF $3.00 FOR THE PERIOD JUNE 1, 1983 TO JUNE 30, 1984, FOR EACH METALLIC TAXICAB MEDALLION ISSUED BY THE SAN FRANCISCO POLICE DEPARTMENT TO EVERY TAXICAB PERMIT HOLDER - APPROVED.

WHEREAS, the Police Commission is the authority, under Section 1135.2.1 of the Police Code, for the setting of the annual fee for metallic taxicab medallion; and

WHEREAS, hte Police Department has submitted a metallic taxicab medallion cost analysis indicating the cost of production and issuance of the metallic taxicab medallions; therefore be it

RESOLVED, that the Police Commission hereby establishes a fee of $3.00 for the period July 1, 1983 to June 30, 1984 for each metallic taxicab medallion issued by the San Francisco Police Department to every permit holder.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 418-83.

WITHDRAWL OF CHARGES FILED AGAINST POLICE OFFICER RAOUL A. PONCE, MISSION STATION.

WHEREAS, charges of violating the Rule and Procedures of the San Francisco Police Department were filed against Police Officer Raoul A. Ponce, Mission Station, as follows:

SPECIFICATION NO. 1

Failure to comply with department weight standards (vioaltion of Section 11, Sub-section A-1 of General Order B-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; and

WHEREAS, Chief of Police Cornelius P. Murphy on March 30, 1983 recommended that the above stated charges filed against Officer Ponce be withdrawn as Officer Ponce is now and has been in compliance with Subsection A-1 of General Order B-1 of the San Francisco Police Department; therefore be it

RESOLVED, that the above-stated charges filed before the Police Commission on December 14, 1982 against Police Officer Raoul A. Ponce, Mission Station, be, and the same are hereby withdrawn.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

CONTINUATION OF THE HEARING OF CAPTAIN DONALD GOAD, MUNI TRANSIT DIVISION.

The matter of the hearing of Captain Donald Goad, MUNI Transit Division, was called it having been continued from the meeting of February 23, 1983.

Captain Donald Goad appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as the Prosecutor for the Police Department.

An opening statement was not made by Mr. Bley, until after the Prosecution rested its case.

The following named witnesses were called by the Defense, were sworn, and testified:

Captain Donald Goad
MUNI Transit Division

Officer Dennis Alvarenga
MUNI Transit Division

The following exhibits were entered into evidence by the Defense:

Exhibit A - Intradepartmental Memorandum dated 06/18/82 by Officer Alvarenga in regard to an off-duty incident involving Officer Alvarenga.

Exhibit B - Intradepartmental Memorandum dated 06/18/82 by Lt. Donald Goad in regard to off-duty incident involving Officer Dennis Alvarenga.

A closing statement was made by Attorney Gash.

A closing statement was made by Defense Attorney Bley.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 398-83.

WHEREAS, on December 29, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Captain Donald Goad as follows:

SPECIFICATION NO. 1

(a) On June 17, 1982, Donald A. Goad, Star No. 643, was a Police Lieutenant employed by the San Francisco Police Department and the commanding officer of the MUNI Transit Division at the time of this incident; On August 11, 1982, Lieutenant Goad was promoted to the rank of Captain.

(b) As a police officer, Captain Goad (hereinafter the accused) was and is responsible for knowing and obeying the rules and procedures of the San Francisco Police Department;

(c) Officer Dennis H. Alvarenga, Star No. 1113, was and is a police officer employed by the San Francisco Police Department. At all times herein mentioned, Officer Alvarenga was assigned to the MUNI Transit Division, was off-duty and carrying a firearm;

(d) On June 17, 1982, at approximately 2355 hours, Officer Alvarenga was involved in an altercation, in front of the Osteria Romana Restaurant located at 2183 Greenwich Street.

Officer Alvarenga drew his firearm and pointed it to the head of a citizen who had alledgedly attempted to attack Officer Alvarenga's friend, Ronald Anderson, with a knife. Officer Alvarenga followed the citizen into the restaurant waving his firearm and used harsh, abusive and profane language toward the citizen;

(e) Officer Alvarenga did not attempt to arrest the citizen for the alleged attack upon his friend nor did he take any other police action. Officer Alvarenga left the restaurant after being informed by the bartender of the Osteria Romana that the police had been called;

(f) Officers responding to "a man with a gun" complaint stopped Officer Alvarenga and Ronald Anderson in front of the Rumours Bar on Fillmore. The officers ordered Officer Alvarenga and his friend to halt and put their hands up. Officer Alvarenga failed to comply with the officers order and reached into his pocket and fumbled around for an object while continuing to approach the officers. The responding officers ordered Officer Alvarenga to stop and freeze several times, however, Officer Alvarenga did not comply and finally pulled an object from his pocket, which was his police identification. Officer Alvarenga also was very boisterious and used harsh and profane language toward the responding officers. Officer Alvarenga was disarmed, handcuffed, and taken to Northern Station;

(g) Sergeant Robert Derby, Star No. 1090, was the Patrol Sergeant for Northern Station on June 17, 1982, and responded to the scene at approximately midnight and observed that Officer Alvarenga was intoxicated;

(h) Sergeant Robert McDonnell, Star No. 943, was the acting Platoon Commander for Northern Station on June 17, 1982, when Officer Alvarenga was brought into the station and observed that Officer Alvarenga was intoxicated;

(i) Sergeant McDonnell called the accused at or about 0100 hours and informed him that Officer Alvarenga had been involved in an incident at Greenwich and Fillmore Streets and had been drinking;

(j) The accused responded to Northern Station at or about 0130 hours and, after listening to the facts as explained to him by Sergeants McDonnell and Derby and Officer Alvarenga, concluded that although Officer Alvarenga had been drinking, he was not intoxicated and had acted properly in drawing his firearm on a citizen;

(k) The accused did not obtain detailed statements from Officer Alvarenga regarding his unprofessional behavior toward the citizen inside the Osteria Romana. The accused failed to obtain detailed statements regarding Officer Alvarenga's failure to comply with an order to halt from responding officers. The accused also failed to take steps to determine if Officer Alvarenga had been intoxicated at the time of the incident and thus not fit to perform police duties.

(l) The accused, by failing to obtain detailed statements from Officer Alvarenga and reporting said statements to the Chief regarding Officer Alvarenga's behavior and actions on the night of this incident, and by failing to take steps to determine whether Officer Alvarenga was intoxicated at the time of the incident in question, has failed to conduct a thorough investigation of misconduct by a member under his command, which constitutes a violation of Rule 2.245 of the San Francisco Police Department which states that a Commanding Officer:

"Sahll, in the event of the arrest or misconduct of a member of his command within any district make an IMMEDIATE AND PERSONAL INVESTIGATION of the circumstances connected therewith and report thereon to the Chief. In addition to other pertinent data, such report shall contain detailed statements in question and answer form from the member involved and other material witnesses covering the pertinent facts and circumstances of the incident together with his conclusions and recommendations. He shall be held directly accountable for the proper conduct of the investigation." (emphasis in original).

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, February 23, 1983 and on Wednesday, March 30, 1983 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Captain Donald A. Goad as contained in Specifications No. 1, Rule 2.245 of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Captain Donald A. Goad, MUNI Transit Division, has violated Specification No. 1, Rule 2.245 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation Police Captain Donald A. Goad, MUNI Transit Division, shall be suspended for five (5) calendar days without pay commencing on Thursday, March 31, 1983 at 0001 hours and terminating on Monday, April 4, 1983 at 2400 hours.

(The entire proceedings were taken in shorthand form by Bonnie Mortley, CSR).

CONTINUATION OF THE HEARING OF POLICE OFFICER DENNIS ALVARENGA, MUNI TRANSIT DIVISION.

The matter of the hearing of Police Officer Dennis Alvarenga MUNI Transit Division, was called it having been continued from the meeting of February 23, 1983.

Police Officer Dennis H. Alvarenga appeared in person and was represented by Ms. Janis Musante, Attorney at Law.

Mr. Michael Gash, Attorney at Law, appeared as the Presecutor for the Police Department.

An opening statement was not made by Mr. Bley until after the Prosecution rested its case.

The following named witnesses were called by the Prosecution, were sworn, and testified:

Sgt. Robert Derby
Northern Station

Sgt. Robert McDonnell
Northern Station

The following exhibits were entered into evidence by the Prosecution:

Exhibit #1 - Intra-Departmental Memorandum, dated Friday, 06/18/83, prepared by Sgt. Robert Derby, in regard to the off-duty incident of a member from an outside unit.

The following named witnesses appeared for the Defense, were sworn, and testified:

Captain Donald Goad
MUNI Transit Division

Officer Dennis Alvarenga
MUNI Transit Division

The following exhibits were entered into evidence by the Defense:

Exhibit A - Incident Report No. 021674610 - A.D.W. 06/17/83 - 2355 hours.

Closing statements were made by both the Prosecuting and Defense Attorneys.

The commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 399-83.

DECISION - HEARING OF OFFICER DENNIS ALVARENGA, MUNI TRANSIT DIVISION.

WHEREAS, on December 29, 1982, Cornelius P. Murphy, Chief of Police, made and served charges against Police Officer Dennis Alvarenga, as follows:

SPECIFICATION NO. 1

(a) At all times mentioned herein, Dennis H. Alvarenga, Star No. 1118, was and is a police officer meployed by the San Francisco Police Department. Officer Alvarenga is assigned to the MUNI Transit Division;

(b) As a police officer, Officer Alvarenga (hereinafter the accused was and is responsible for knowing and obeying the rules, order and procedures of the San Francisco Police Department;

(c) At all times mentioned herein, the accused was off-duty and carrying a firearm;

(d) On June 17, 1982, at or about 2355 hours, an altercation occurred outside the Osteria Romana Restaurant Bar, located at Greenwich and Fillmore Streets, between the accused, his companion, Ronald Anderson, and a citizen;

(e) During this altercation, the accused identified himself as a police officer, pulled his firearm and pointed it at the head of the citizen. While the accused pointed his weapon at the citizen, his companion, Mr. Anderson, continued to hit and strike the citizen;

(f) After the fight broke up, the citizen went inside the Osteria Romana followed by the accused who was observed waving his firearm and used harsh and abusive language toward the citizen;

(g) The bartender of the Osteria Romana approached the accused and informed him that the police had been called. The accused responded in an abusive manner that "he was the law" and flashed his badge, partially obscuring the numbers. The accused then left the Osteria Romana without taking any police action;

(h) The accused's conduct by drawing his firearm to stop an alleged assault with a deadly weapon, then failing to take any police action constitutes a violation of Rule A-2 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while off-duty, take all reasonable steps to prevent crime, detect and arrest offenders, and protect life and property that are consistent with the officers' ability to take proper action at the time in question."

SPECIFICATION NO. 2

(a) Each and every allegation contained in paragraphs (a) through (h) of Specification No. 1 are hereby incorporated by reference as though each were fully set forth herein;

(b) On June 17, 1982, the accused and Mr. Anderson began drinking alcoholic beverages at or about 2000 hours and continued to consume alcoholic beverages until approximately 2345 hours;

(c) The accused was observed waving his firearm inside the restaurant and used harsh and profane language toward a citizen. The accused did not attempt to arrest the citizen for the alleged attack upon his friend, nor did he take any other police action;

(d) Northern Station officer, responding to a "man with a gun" complaint, stopped the accused and Mr. Anderson in front of the Rumours Bar located on Fillmore Street. The officers ordered the accused and his companion to halt and put their hands up. The accused did not comply with the officers' order and reached into his jacket pocket while continuing to approach the officers. The officers ordered the accused to freeze several times, however, he continued fumbling in his jacket pocket and finally produced his police indentification.

The accused was observed by the responding officers to be extremely intoxicated, was very boisterous and used harsh and profane language toward the officers. The officers then disarmed the accused, handcuffed and placed him into a police car;

(e) Sergeant Robert Derby, Star No. 1080, was the Patrol Sergeant for Northern Station on June 17, 1982, and responded to the scene at approximately midnight and observed that the accused was intoxicated;

(f) Sergeant Robert McDonnell, Star No. 948, was the acting Platoon Commander for Northern Station on June 17, 1982, when the accused was brought to the station and observed that the accused was intoxicated;

(g) The accused, by being intoxicated while carrying a firearm off-duty and while attempting to perform police duties, has violated Rule A-3 of General Order D-1 of the San Francisco Police Department which states:

"Officers shall, while carrying a firearm off-duty or while acting in the capacity of a peace officer maintain themselves in a fit condition to perform police duties."

SPECIFICATION NO. 3

(a) Each and every allegation contained in paragraphs (a) through (h) of Specification No. 1 and paragraphs (a) through (g) of Specification No. 2 are hereby incorporated by reference as though each were fully set forth herein;

(b) The accused, by using harsh and abusive language toward the citizen inside the restaurant after the fight concluded and by using harsh, profane and uncivil language toward the bartender of the restaurant while allegedy acting in the capacity of a peace officer has violated Rule A-14 of General Order D-1 of the San Francisco Police Department, which states:

"Members shall, in the performance of their duties or while acting in the capacity of a peace officer off-duty, treat all members of the public with courtesy and respect and eschew harsh, profane, or uncivil language. When requested, members shall promptly and politely provide their names, star numbers, and assignment."

SPECIFICATION NO. 4

(a) Each and every allegation contained in paragraphs (a) through (h) of Specification No. 1, paragraphs (a) through (g) of Specification No. 2 and paragraphs (a) and (b) of Specification No. 3 are hereby incorporated by reference as though each were fully set forth herein;

(b) The accused, be by failing to comply with a lawful request by police officers to halt and place his hands upon his head, by failing to maintain himself in a fit condition to perform police duties while

off-duty and carrying a firearm, and by failing to treat members of the public with courtesy and respect while allegedly acting in the capacity of a peace officer, has engaged in conduct which subverts the good order, efficiency and discipline of the department and which reflects discredit upon the department, which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer like conduct triable and punishable by the Board."

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, February 23, 1983 and on Wednesday, March 30, 1983 and on Wednesday, March 30, 1983 the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Dennis Alvarenga as contained in Specification 1, Rule A-2 of General Order D-1, Specification No. 2, Rule A-3 of General Order D-1, Specification No. 3, Rule A-14 of General Order D-1 and Specification No. 4, Rule A-9 of General Order D-1 of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Dennis H. Alvarenga has violated Specification No. 1, Rule A-2, General Order D-1, Specification No. 2, Rule A-3, General Order D-1, Specification No. 3, Rule A-14, General Order D-1 and Specification No. 4, Rule A-9 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Commission that for said violation Police Officer Dennis H. Alvarenga, MUNI Transit Division, shall be suspended for forty-five (45) calendar days, fifteen (15) of which shall not be imposed on condition that Officer Alvarenga be suspended for thirty (30) calendar days without pay commencing on April 6, 1983 at 0001 hours and terminating on Thursday, May 5, 1983 at 2400 hours, and further Officer Alvarenga shall satisfactorily complete a one-year period of participation in the Police Department's Stress Program and upon satisfactory completion the fifteen (15) day's suspension held in abeyance shall be dismissed.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 403-83.

HEARING OF POLICE OFFICER JEFFREY WILLIAMS, MISSION STATION, - CONTINUED FROM MEETING OF MARCH 16, 1983. (Continued to May 11, 1983).

WHEREAS, the hearing of Officer Jeffrey Williams, Mission Station, was called it having been set for this date; and

WHEREAS, it has been requested by Ms. Janis Musante, at this particular time the attorney for Officer Jeffrey Williams, that the matter be continued to May 11, 1983; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Officer Jeffrey Williams, Mission Station, is continued to May 30, 1983, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Dlay, Toler, Nelder, Murphy, Sanchez

RESOLUTION NO. 404-83.

POLICE OFFICER ANTHONY DISTEFANO, PARK STATION. (Con't 4/6/83).

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Anthony DiStefano, Park Station, as follows:

SPECIFICATION NO. 1

Failure to prevent crime while off duty (violation of Rule A-2 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to answer questions truthfully and without evasion when questioned on matter relating to his employment with the Police Department (violation of Rule A-21 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department and which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Cornelius P. Murphy, Chief of Police of the San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of the hearing of the disciplinary charges filed against Police Officer Anthony DiStefano, Park Station, is set for Wednesday, April 6, 1983 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Daly, Toler, Nelder, Murphy, Sanchez

THE COMMISSION THEN ADJOURNED ITS MEETING AT 11:45 p.m.

WILLIE E. FRAZIER
SECRETARY